University of London

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BILLS,

PUBLIC:

FOUR VOLUMES.

—(2.)—

GAME (IRELAND)

TO

LUNATIC ASYLUMS (IRELAND).

Session

7 February —— *6 July* 1865.

VOL. II.

1865.

BILLS:

1865.

FOUR VOLUMES:—CONTENTS OF THE

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A

BILL

TO

Amend the Law regulating the Shooting and Sale of Game in Ireland.

WHEREAS by an Act passed in the Parliament of Ireland in the Twenty-seventh Year of the Reign of His late Majesty George the Third, Chapter Thirty-five, entitled "An Act for the Preservation of the Game," it is enacted, that from and after the First Day of June One thousand seven hundred and eighty-seven every Person who shall wilfully take, kill, or destroy, or shall sell or expose to Sale, or who shall buy or cause to be bought, amongst other things, any Pheasant between the Tenth Day of January and the First Day of September in any Year, shall forfeit a Sum not exceeding Five Pounds for every such Pheasant: And whereas by an Act passed in the Parliament of Ireland in the Thirty-seventh Year of the Reign of His late Majesty George the Third, Chapter Twenty-one, entitled "An Act to amend the Game Laws," it is enacted, that from and after the passing of such Act no Person or Persons shall on any Pretence whatsoever take, kill, destroy, carry, sell, buy, or have in his or their Possession or Use any Moor Game, Heath Game, or Grouse between the Tenth Day of December and Twentieth Day of August in any Year, or any Partridge, Landrail, or Quail between the Tenth Day of January and Twentieth Day of September: And whereas these Days having

Preamble.

27 G. 3. c. 35. (I.)

37 G. 3. c. 21. (I.)

been found inconvenient and conducive to Poaching, it is expedient to amend the said several Acts in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Part of Act 27 G. 3.

1. From and after the *passing of this Act*, so much of the said recited Act of the Twenty-seventh George the Third as relates to the taking, killing, destroying, selling, or exposing to Sale any Pheasant between the Tenth Day of January and the First Day of September in any Year shall be and the same is declared to be hereby repealed.

and Part of said Act 37 G. 3.

2. From and after the *passing of this Act*, so much of the said recited Act of the Thirty-seventh George the Third, Chapter Twenty-one, as relates to taking, killing, destroying, selling, or exposing to Sale any Moor Game, Heath Game, or Grouse between the Tenth Day of December and Twentieth Day of August in any Year, or any Partridge, Landrail, or Quail between the Tenth Day of January and Twentieth Day of September in any Year, shall be and the same is declared to be hereby repealed.

Fixing Periods for shooting Pheasants, Partridges, Landrails, &c. in Ireland.

3. From and after the *passing of this Act*, no Person or Persons shall on any Pretence whatsoever take, kill, or destroy any Pheasant between the *First Day of February* and the *First Day of October* in any Year, or any Partridge, Landrail, or Quail between the *First Day of February* and the *First Day of September* in any Year, or any Moor Game, Heath Game, or Grouse between the *Tenth Day of December* and the *Twelfth Day of August* in any Year; and if any Person or Persons shall take, kill, or destroy any Pheasant between the *First Day of February* and the *First Day of October* in any Year, or any Partridge, Landrail, or Quail between the *First Day of February* and the *First Day of September* in any Year, or any Moor Game, Heath Game, or Grouse between the *Tenth Day of December* and the *Twelfth Day of August* in any Year, every such Person or Persons shall be liable to the *same Penalty* as by the said Acts is laid upon every Person or Persons transgressing the same, such Penalty to be imposed, inflicted, received, and applied in like Manner, and under the same Rules and Regulations, as in and by the said Acts is directed with respect to the Application of the Forfeitures to be incurred for any Offence against the Game Laws.

Penalty in case of licensed

4. From and after the *passing of this Act*, if any Person licensed to deal in Game shall buy or sell, or knowingly have in his or her

House, Shop, Stall, Possession, or Control, any Bird of Game after the Expiration of *Ten Days* (one inclusive and the other exclusive) from the respective Days in each Year on which it shall become unlawful to kill or take such Kinds of Game respectively as aforesaid; or if any Person, not being licensed to deal in Game, shall buy or sell any Bird of Game after the Expiration of *Ten Days* (one inclusive and the other exclusive) from the respective Days in each Year on which it shall become unlawful to kill or take such Birds of Game respectively as aforesaid, or shall knowingly have in his House, Possession, or Control any Bird of Game (except Birds of Game kept in a Mew or Feeding-place) after the Expiration of Forty Days (one inclusive and the other exclusive) from the respective Days in each Year on which it shall become unlawful to kill or take such Birds of Game respectively as aforesaid; every such Person shall, on Conviction of any such Offence before Two Justices of the Peace, forfeit and pay for every Head of Game so bought or sold, or found in his or her House, Shop, Possession, or Control, such Sum of Money, not exceeding *One Pound*, as to the convicting Justices shall seem meet, together with the Costs of the Conviction.

Dealers in Game and others having Birds of Game in their Possession within prohibited Times.

Game (Ireland).

A

BILL

To amend the Law regulating the Shooting and Sale of Game in Ireland.

(Prepared and brought in by
Sir Hervey Bruce and Colonel Forde.)

Ordered, by The House of Commons, *to be Printed*,
24 *February* 1865.

[Bill 42.]

Under 1 *oz.*

A

BILL

TO

Extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of Dublin Metropolis.

WHEREAS by an Act passed in the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter Ninety, it is amongst other things enacted that all the Provisions of Two several Acts passed respectively in the First and Second Years of King William the Fourth, Chapter Thirty-two, and in the Second and Third Years of Her present Majesty, Chapter Thirty-five, relating to the granting of Licences by Justices of the Peace to deal in Game, and to the holding of Special Sessions by said Justices in their respective Divisions or Districts for the Purpose of granting such Licences, shall, so far as is consistent with the express Provisions of the said first-recited Act, extend to and be in full Force and Effect in and throughout the whole of the United Kingdom: And whereas it is expedient that within the Police District of Dublin Metropolis, any Two or more Divisional Magistrates of Police should have the same Powers of granting Licences to deal in Game as can be exercised by Justices at Special Sessions under the said Acts: Be it enacted by the Queen's most Excellent

Preamble.
23 & 24 Vict. c. 90. s. 13.
1 & 2 W. 4. c. 32.
2 & 3 Vict. c. 35.

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of recited Acts relating to granting Licences by Justices to deal in Game, may be exercised by Divisional Magistrates of Police within the District of Dublin Metropolis.

1. From and after the *passing of this Act* all the Powers vested in Justices of the Peace under the said recited Acts relating to the granting of Licences to deal in Game, may, within the Police District of Dublin Metropolis, be exercised by any Two or more Divisional Magistrates of Police, and it shall be lawful for the said Divisional Magistrates of Police, or any Two or more of them, to grant said Licences to deal in Game.

This Act and the recited Acts to be construed as One Act.

2. The Act and the said recited Acts shall be construed together as One Act.

Game Licences (Ireland).

A

BILL

To extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of Dublin Metropolis.

(*Prepared and brought in by*
Sir Robert Peel and Mr. Baring.)

Ordered, by The House of Commons, *to be Printed,*
13 *February* 1865.

[Bill 16.]

Under 1 *oz.*

General Post Office (Additional Site) Bill.

ARRANGEMENT OF CLAUSES.

Short Title of Act; Sect. 1.
Power to purchase Land; 2.
Power to stop up Streets within Boundary of Land purchased; 3.
Power to pull down and build; 4.
Power to raise and lower Streets; 5.
Lands may be taken, notwithstanding Errors in Book of Reference; 6.
Postmaster General may enter Lands for the Purpose of Surveying; 7.
Lands to continue subject to Land Tax and Rates; 8.
Incorporation of Lands Clauses Act; 9.
Questions of disputed Compensation to be heard in Lord Mayor's Court; 10.
Extinction of Rights of Way and other Easements; 11.
As to Claims for Compensation by Tenants from Year to Year; 12.
Limit of Time for compulsory Purchase of Lands; 13.
Saving Rights of Commissioners of Sewers; 14.
Exemption from Buildings Act; 15.
No Purchases to be made without Authority of Treasury; 16.
Authentication of Notices; 17.
Orders concerning Money paid into Court may be made at Chambers; 18.
Postmaster General not to be personally liable; 19.
Monies payable to Postmaster General to be paid into Bank of England; 20.
Deeds not liable to Stamp Duty; 21.
Deposited Plans may be inspected; 22.

A

B I L L

TO

Enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in St. Martin's-le-Grand, in the City of London.

WHEREAS the General Post Office, situate in the Street called St. Martin's-le-Grand, in the City of London, affords inadequate Accommodation for the Purposes of the Public Service, and it is expedient that additional Buildings should be erected for such Purposes on Land situate in the City of London, to be acquired and appropriated by Her Majesty's Postmaster General as herein-after mentioned: And whereas Maps or Plans describing the Lands to be acquired by Her Majesty's Postmaster General under the Authority of this Act, with a Book of Reference to the same Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the same Lands, have been deposited at the Office of the Clerk of the Peace for the City of London, and the same are herein-after referred to as the deposited Plans and Book of Reference: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Preamble.

Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The Post Office Extension Act, 1865."

Power to purchase Land.

2. It shall be lawful for Her Majesty's Postmaster General and he is hereby authorized, out of any Monies which have been or which may from Time to Time be appropriated by Parliament and put at his Disposal for that Purpose, to purchase for the Purposes of this Act the whole or such Parts as he shall think fit of the Lands in the Parishes of Saint Ann and Saint Agnes, Saint John Zachary, Saint Vedast Foster, Saint Michael-le-Querne, and Saint Leonard Foster, in the City of London, shown on the deposited Plans, and specified in the deposited Book of Reference; and all Lands so purchased shall be vested in and held by Her Majesty's Postmaster General (in his corporate Capacity), and his Successors, in trust for Her Majesty, Her Heirs and Successors.

Power to stop up Streets within Boundary of Land purchased.

3. It shall be lawful for Her Majesty's Postmaster General to stop up and appropriate for the Purposes of this Act all Ways, Paths, Streets, Passages, and public Places situate within the outward Boundaries of the Lands herein-before authorized to be purchased by him as aforesaid; and the Ground and Soil of all such Ways, Paths, Streets, Passages, and public Places, and the Fee Simple and Inheritance thereof, shall from and after the *passing of this Act* be vested in Her Majesty's Postmaster General (in his corporate Capacity), and his Successors, in trust for Her Majesty, Her Heirs and Successors.

Power to pull down and build.

4. It shall be lawful for Her Majesty's Postmaster General to pull down and remove all Buildings now being on the Lands to be purchased by him under the Authority of this Act, and to appropriate all Lands which are or shall be vested in him by or under the Authority of this Act as a Site for the Erection of Buildings for the Public Service, and for the Formation of convenient Approaches to such Buildings, and thereon to construct such Buildings and Works, and do all such other Things, as in his Opinion shall be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

Power to raise and lower Streets.

5. Her Majesty's Postmaster General is hereby empowered to raise or lower the Ground of any Streets or Ways which shall communicate with the Buildings so to be erected as aforesaid, or any Part thereof respectively, making such Compensation to the Owners of Houses injured by such Alterations as shall be agreed on between the Parties.

6. It shall be lawful for Her Majesty's Postmaster General to purchase, take, and use, for the Purposes of this Act, any Lands purporting to be delineated on the said deposited Plans as intended to be taken for the Purposes of this Act, although such Lands, or the Name or Names of the Owner, Lessee, or Occupier thereof, may happen to be erroneously stated in or may be omitted from the said deposited Book of Reference, in case it shall appear to any Two or more of the Aldermen of the City of London, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Lands may be taken, notwithstanding Errors in Book of Reference.

7. It shall be lawful for Her Majesty's Postmaster General, and for his Surveyors, Officers, and Workmen, at all reasonable Times in the Daytime, upon giving for the first Time *Twenty-four Hours*, and afterwards from Time to Time *Twelve Hours* previous Notice, to enter into and upon all or any of the Lands authorized to be taken and used as aforesaid, for the Purpose of surveying or valuing the same.

Postmaster General may enter Lands for the Purpose of surveying.

8. All Lands purchased by Her Majesty's Postmaster General in pursuance of this Act, which were at the Time of such Purchase subject to Land Tax, to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher Value than that at which they were assessed at the Time of the Purchase.

Lands to continue subject to Land Tax and Rates.

9. "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions, and subject to the Provisions, herein-after contained; (that is to say,)

Incorporation of Lands Clauses Act.

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts, this Act shall be deemed to be "the Special Act," and Her Majesty's Postmaster General shall be deemed to be the Promoter of the Undertaking:

(3.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of Her Majesty's Postmaster General, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Questions of disputed Compensation to be heard in Lord Mayor's Court.

10. In every Case in which any Question of disputed Compensation may be required to be determined by the Verdict of a Jury in the City of London or the Liberties thereof, the Jury shall be required to appear before the Court of the Lord Mayor and Aldermen of the City of London to be holden in the Outer Chamber of the Guildhall of the said City according to the Custom of the said City, at a Time to be appointed by the said Court; and all the Directions and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

Extinction of Rights of Way and other Easements.

11. Upon the Purchase by Her Majesty's Postmaster General of the Lands herein-before authorized to be purchased by him, or any Part thereof, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands, or Part thereof, and all other Rights or Easements in or relating to such Lands, or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty's Postmaster General, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from Her Majesty's Postmaster General such Compensation, if any, as they may be entitled to under the Provisions of "The Lands Clauses Consolidation Act, 1845," for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Lands Clauses Consolidation Act, 1845.

As to Claims for Compensation by Tenants from Year to Year.

12. All Claims for Compensation made upon Her Majesty's Postmaster General under the Provisions of this Act, or any Act incorporate herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the 121st Section of "The Lands Clauses Consolidation Act, 1845."

Limit of Time for compulsory Purchase of Lands.

13. The Limit of Time for the compulsory Purchase of Lands under this Act shall be *Five Years.*

Saving Rights of Commissioners of Sewers.

14. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City of London.

Exemption from Buildings Act.

15. All Buildings to be erected in pursuance of this Act shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

No Purchases to be made without Authority of Treasury.

16. No Purchase shall be made by Her Majesty's Postmaster General for the Purposes of this Act, without the Assent in Writing of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer, but it shall not be necessary for any Vendor or any Purchaser from Her Majesty's Postmaster General to ascertain that such Assent has been given, nor shall Her Majesty's Postmaster General be bound to produce to any such Vendor or Purchaser any Evidence of such Assent: Provided, nevertheless, that such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Authentication of Notices.

17. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of Her Majesty's Postmaster General may be given, issued, or signed by the Solicitor or Secretary of the Post Office for the Time being, and need not be under the Common Seal of Her Majesty's Postmaster General, and may be in Writing or in Print, or partly in Writing and partly in Print.

Orders concerning Money paid into Court may

18. All Orders which, under this Act and the Acts incorporated herewith, the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England be made at Chambers.

with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had; subject, nevertheless, to any General Orders, which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Application.

Postmaster General not to be personally liable.

19. Nothing in this Act, or in any Deed or Instrument entered into or made by Her Majesty's Postmaster General for the Purposes of this Act, shall extend to charge the Person of Her Majesty's Postmaster General executing any such Deed or Instrument, or the Heirs, Executors, or Administrators of Her Majesty's Postmaster General, or any of them, or either or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the said Deed or Instrument contained on the Part of Her Majesty's Postmaster General; but the Amount of all Costs, Charges, Damages, or Expenses which shall or may be recovered in any Suit or Suits at Law or in Equity against Her Majesty's Postmaster General, or against his Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expenses which Her Majesty's Postmaster General shall bear, pay, expend, be put to, or which shall be occasioned to him for or by reason or means of any such Deed or Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against him thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

Monies payable to Postmaster General to be paid into Bank of England.

20. All Monies which shall become payable to the Postmaster General under the Provisions of this Act shall be paid to the Receiver and Accountant General for the Time being of Her Majesty's Post Office, to be by him placed to the Account of Her Majesty's Postmaster General at the Bank of England; and the unstamped Receipt of the Receiver and Accountant General of the Post Office for such Monies shall effectually discharge the Person or Persons by whom or on whose Account the same shall be paid, and no such Person shall be bound to see to the Application or be answerable for the Nonapplication or Misapplication thereof.

Deeds not liable to Stamp Duty.

21. No Deed, Bond, or other Instrument which shall be made or executed by, to, or with Her Majesty's Postmaster General, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged therewith by any future Act.

Deposited Plans may be inspected.

22. A Copy of the Plans of the prescribed Lands shall be deposited in the Office of the Clerk of the Peace for the City of London, and shall remain at the said Office to the End that all Persons may at all reasonable Times inspect the same at their Pleasure, paying *One Shilling* at each Inspection.

General Post Office (Additional Site).

A

B I L L

To enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in St. Martin's-le-Grand, in the City of London.

(Prepared and brought in by
Mr. F. Peel and Mr. Cowper.)

Ordered, by The House of Commons, *to be Printed,*
27 *March* 1865.

[Bill 94.]

Under 2 *oz.*

General Post Office (Additional Site) Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

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A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in St. Martin's-le-Grand, in the City of London.

WHEREAS the General Post Office, situate in the Street called St. Martin's-le-Grand, in the City of London, affords inadequate Accommodation for the Purposes of the Public Service, and it is expedient that additional Buildings should be erected for such Purposes on Land situate in the City of London, to be acquired and appropriated by Her Majesty's Postmaster General as herein-after mentioned: And whereas Maps or Plans describing the Lands to be acquired by Her Majesty's Postmaster General under the Authority of this Act, with a Book of Reference to the same Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the same Lands, have been deposited at the Office of the Clerk of the Peace for the City of London, and the same are herein-after referred to as the deposited Plans and Book of Reference: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Preamble.

Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The Post Office Extension Act, 1865."

Power to purchase Land.

2. It shall be lawful for Her Majesty's Postmaster General and he is hereby authorized, out of any Monies which have been or which may from Time to Time be appropriated by Parliament and put at his Disposal for that Purpose, to purchase for the Purposes of this Act the whole or such Parts as he shall think fit of the Lands in the Parishes of Christchurch, Saint Ann, and Saint Agnes, Saint John Zachary, Saint Vedast Foster, Saint Michael-le-Querne, and Saint Leonard Foster, in the City of London, shown on the deposited Plans, and specified in the deposited Book of Reference; except the Streets therein described as Saint Martin's-le-Grand, Newgate Street, Bath Street, and Angel Street, and except that Portion lately thrown into Newgate Street and now forming Part of the same, and all Lands so purchased shall be vested in and held by Her Majesty's Postmaster General (in his corporate Capacity), and his Successors, in trust for Her Majesty, Her Heirs and Successors.

Power to stop up Streets within Boundary of Land purchased.

3. From and after the Time of the Purchase of such Lands it shall be lawful for Her Majesty's Postmaster General to stop up and appropriate for the Purposes of this Act all Ways, Paths, Streets, Passages, and public Places situate within the outward Boundaries of the Lands herein-before authorized to be purchased by him as aforesaid; and the Ground and Soil of all such Ways, Paths, Streets, Passages, and public Places, and the Fee Simple and Inheritance thereof, shall be vested in Her Majesty's Postmaster General (in his corporate Capacity), and his Successors, in trust for Her Majesty, Her Heirs and Successors: Provided always, that no Part of Bath Street, Newgate Street, St. Martin's-le-Grand, or Angel Street as they now exist shall be stopped up.

Power to pull down and build.

4. It shall be lawful for Her Majesty's Postmaster General to pull down and remove all Buildings now being on the Lands to be purchased by him under the Authority of this Act, and to appropriate all Lands which are or shall be vested in him by or under the Authority of this Act as a Site for the Erection of Buildings for the Public Service, and for the Formation of convenient Approaches to such Buildings, and thereon to construct such Buildings and Works, and do all such other Things, as in his Opinion shall be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

5. Her Majesty's Postmaster General is hereby empowered, with the Consent of the Commissioners of Sewers of the City of London, but not otherwise, to raise or lower the Ground of any Streets or Ways which shall communicate with the Buildings so to be erected as aforesaid, or any Part thereof respectively, making such Compensation to the Owners of Houses or other Property injured by such Alterations as shall be agreed on between the Parties, or failing Agreement as shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

Power to raise and lower Streets.

6. It shall be lawful for Her Majesty's Postmaster General to purchase, take, and use, for the Purposes of this Act, any Lands, except as aforesaid, purporting to be delineated on the said deposited Plans as intended to be taken for the Purposes of this Act, although such Lands, or the Name or Names of the Owner, Lessee, or Occupier thereof, may happen to be erroneously stated in or may be omitted from the said deposited Book of Reference, in case it shall appear to any Two or more of the Aldermen of the City of London, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Lands may be taken, notwithstanding Errors in Book of Reference.

7. It shall be lawful for Her Majesty's Postmaster General, and for his Surveyors, Officers, and Workmen, at all reasonable Times in the Daytime, upon giving for the first Time Twenty-four Hours, and afterwards from Time to Time Twelve Hours previous Notice, to enter into and upon all or any of the Lands authorized to be taken and used as aforesaid, for the Purpose of surveying or valuing the same.

Postmaster General may enter Lands for the Purpose of surveying.

CLAUSE A. Provision for the Protection of Sewers in the City of London.

8. When any of the Works to be executed by virtue of this Act shall pass over, under, or pass by the Side of, so as to damage or interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction of the Commissioners of Sewers of the City of London, or with any Sewers or Works to be made or executed by the said Commissioners, such Works so to be executed by the Postmaster General in pursuance of this Act shall be so carried out under the following conditions:

(1.) Before commencing such Work Her Majesty's Postmaster General shall give the Engineer or Surveyor of the said Commissioners Twenty-eight Days Notice in Writing of his Intention to commence such Works; and with such Notice shall be left a Plan and Section showing the Course and Inclination of such proposed Works:

(2.) In case the Commissioners of Sewers shall require any Alteration to be made therein they shall give before the Expiration of the said Twenty-eight Days Twenty-eight Days written Notice of such Requirement to Her Majesty's Postmaster-General; and the Postmaster General shall, subject to the Provisions herein-after stated with respect to Arbitration, comply therwith:

(3.) The Alterations so required by the said Commissioners shall be executed by or under the Superintendence and Control of the Engineer or Surveyor or other Officer of the said Commissioners:

(4.) All reasonable Costs, Charges, and Expenses which the said Commissioners may be put to or incur in the Execution of such Alterations shall be paid to the said Commissioners by Her Majesty's Postmaster General for the Time being:

(5.) In case of Disputes between Her Majesty's Postmaster General and the said Commissioners of Sewers, either as to the Alterations required by such Commissioners, or as to the Costs, Charges, and Expenses of such Alterations, or any other Matter or Thing relating thereto, the same shall be settled by an Arbitrator to be agreed upon by Her Majesty's Postmaster General and the said Commissioners of Sewers, or failing such Agreement by an Arbitrator to be appointed by the Board of Trade:

(6.) Any Works, whether altered or substituted, or any Defence connected with such Works, whether altered or substituted, shall be as fully and completely under the Jurisdiction and Control of the said Commissioners as any Sewers or Works now are.

CLAUSE B.
New Buildings not to be erected beyond a certain Line in Newgate Street.

9. Any Land abutting on Newgate Street which Her Majesty's Postmaster General may acquire under this Act shall not be built on beyond the Line laid down by the Commissioners of Sewers in the Improvements they have recently made in that Street, but the Postmaster General shall be compensated for any Land he may have purchased or taken under the Provisions of this Act between the present Line of the Buildings numbered 19 to 23 on the deposited Plan and the Line so laid down by such Commissioners; the Amount of such Compensation to be agreed upon between the Parties, or failing Agreement to be determined in the Manner provided by the Lands Clauses Consolidation Act, 1845; provided that such Compensation shall be estimated on the Land alone apart from any Buildings which may be or may have been thereon.

CLAUSE C.
Bath Street to be continued to

10. If the Postmaster General shall at any Time purchase or require under the Provisions of this Act the Lands or Buildings numbered 14 and 16 on the deposited Plan he shall at the Expense of the Post Office continue Bath Street until it forms a Junction with Angel Street, and such Continuation shall not be less than Twenty Feet in Width.

Angel Street under certain Contingency.

CLAUSE D.

For the protection of the Streets of the City of London.

11. Her Majesty's Postmaster General shall not break up or disturb any Street or Place or the Pavement thereof under the Control or Direction of the Commissioners of Sewers of the City of London, unless at least Twenty-eight Days previous Notice in Writing of his Intention so to do, specifying the Street, Place, or Pavement intended to be broken up or disturbed, be given to the Engineer or Surveyor of such Commissioners or left for him at his Office or at the Office of such Commissioners, and Her Majesty's Postmaster General shall attend to the Directions of such Engineer or Surveyor with a view to secure a free Passage of Traffic in such Streets and Places and to prevent needless Injury to the Street, and shall not open more of such Streets or Places at one Time than such Engineer or Surveyor shall in Writing authorize; and when Her Majesty's Postmaster General shall break up or disturb any such Street, Place, or Pavement he shall so soon as the Works affecting it are completed and at the furthest within Three Months or such extended Period as may be agreed upon between Her Majesty's Postmaster General and such Commissioners from the Day on which those Works were begun restore the Street, Place, or Pavement to as good a Condition as it was in when it was broken up or disturbed under the Superintendence and to the reasonable Satisfaction of the Engineer or Surveyor of the Commissioners, and Her Majesty's Postmaster General shall save harmless and keep indemnified the said Commissioners and their Successors against any Expenses consequent on any such Works: Provided always, that in the event of Difference arising between Her Majesty's Postmaster General and the Commissioners as to any Matter or Thing in this Clause contained the same shall be determined by an Arbitrator to be mutually agreed upon, or failing such Agreement by an Arbitrator to be named by the Board of Trade.

Lands to continue subject to Land Tax and Rates.

12. All Lands purchased by Her Majesty's Postmaster General in pursuance of this Act, which were at the Time of such Purchase subject to Land Tax, to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher rateable Value than that at which they were assessed at the Time of the passing of this Act.

CLAUSE E.

Customary Payments to Incumbents.

13. Her Majesty's Postmaster General shall pay an annual Sum to each of the herein-after mentioned Persons; that is to say, the

Rectors or Incumbents of the Parishes of Christchurch, Saint Ann, and Saint Agnes, Saint John Zachary, Saint Vedast Foster, Saint Michael-le-Querne, and Saint Leonard Foster, by way of Compensation for the Loss of all such Easter Dues, Oblations, Surplice Fees, or other customary Payments that may be taken away in consequence of carrying into effect the Purposes of this Act; such Payments shall be made half-yearly on the First Day of January and the First Day of July in each Year; the Amount so payable to each Person shall be calculated on an Average of the Amount received by him in respect of the said customary Payments on an Average of the Three Years immediately preceding the passing of this Act; and in the event of Difference as to any such Payment or any fractional Part thereof, the same shall be definitely settled by an Arbitrator to be appointed by Her Majesty's Attorney General for the Time being: Provided that nothing in this Act contained shall prejudice the Right of any Rector, Impropriator, or other Person to any Tithe or Rentcharge in lieu thereof, or other Compensation in respect thereof, charged upon or payable out of any Lands purchased in pursuance of this Act, or for the Purposes thereof.

Incorporation of Lands Clauses Act.

14. "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions, and subject to the Provisions, herein-after contained; (that is to say,)

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts, this Act shall be deemed to be "the Special Act," and Her Majesty's Postmaster General shall be deemed to be the Promoter of the Undertaking:

(3.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of Her Majesty's Postmaster General, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Questions of disputed Compensation to be heard in Lord Mayor's Court.

15. In every Case in which any Question of disputed Compensation may be required to be determined by the Verdict of a Jury in the City of London or the Liberties thereof, the Jury shall be required to appear before the Court of the Lord Mayor and Aldermen of the City of London to be holden in the Outer Chamber of the Guildhall of the said City according to the Custom of the said City, at a Time to be appointed by the said Court; and all the Directions and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

Extinction of Rights of Way and other Easements.

16. Subject to the Provisions of this Act, upon the Purchase by Her Majesty's Postmaster General of the Lands hereinbefore authorized to be purchased by him, or any Part thereof, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands, or Part thereof, and all other Rights or Easements in or relating to such Lands, or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty's Postmaster General, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from Her Majesty's Postmaster General such Compensation, if any, as they may be entitled to under the Provisions of "The Lands Clauses Consolidation Act, 1845," for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Lands Clauses Consolidation Act, 1845.

As to Claims for Compensation by Tenants from Year to Year.

17. All Claims for Compensation made upon Her Majesty's Postmaster General under the Provisions of this Act, or any Act incorporate herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the 121st Section of "The Lands Clauses Consolidation Act, 1845."

Limit of Time for compulsory Purchase of Lands.

18. The Limit of Time for the compulsory Purchase of Lands under this Act shall be Five Years.

Clause F.

Arrangements with Pneumatic Despatch Company.

19. If Her Majesty's Postmaster General shall purchase the Lands and Houses at the Corner of Newgate Street and Saint Martin's-le-Grand, then and in such Case he shall forthwith grant to the Pneumatic Despatch Company (Limited), for the Purposes of laying and maintaining their Tubes and Apparatus, and of receiving Traffic from the Public, in accordance with the Provisions of the Pneumatic Despatch Act, 1864, the Use during the Continuance and Working of such Company of such an Area of the Basement of those Houses as may be required by the said Company, not exceeding Eighty Feet in Length from East to West, and Thirty-five Feet in Breadth from North to South, and of a Height sufficient for the convenient Use during such Continuance aforesaid of the said Tubes, Apparatus, and their other Purposes aforesaid, with a proper and convenient Access thereto from the Street, and also the Use during such Continuance of an Office on the Ground Floor of One of such Houses, or the Buildings to be erected in lieu thereof, of Twenty Feet by Thirty Feet in Area abutting on the Street, and of a convenient and suitable Height for the Purposes aforesaid, and the Company shall pay for such Use such an annual Rent as may be settled in case of Difference by an Arbitrator to be agreed on between the Parties, or in default of Agreement to be appointed by the Board of Trade; and from and after such Purchase and Grant as aforesaid the Powers given to the Pneumatic Despatch Company for the Purchase of the Lands and Houses in the Parish of Christchurch, at the Corner of Newgate Street, and Saint Martin's-le-Grand by the Pneumatic Despatch Company's (Limited) Act, 1864, shall cease and determine: Provided always, that in case Her Majesty's Postmaster General shall not within Three Months after the passing of this Act exercise the Power of purchasing the said Lands and Houses at the Corner of Newgate Street and Saint Martin's-le-Grand aforesaid, nothing in this Act contained shall take away, lessen, or impair the Powers vested in the said Pneumatic Despatch Company by their said Act of 1864 to enter upon, purchase, and hold any of the Lands and Houses in the Parish of Christchurch contained in the deposited Plans and Book of Reference of their said Act of 1864.

Clause G.

Disputes between the Postmaster General and the Pneumatic Des-

20. If any Disputes arise between the Postmaster General and the Pneumatic Despatch Company with reference to anything contained in this Act, or to any Rights acquired or to be acquired under it by the Parties respectively, the same in case of Difference shall be determined by an Arbitrator to be agreed upon between the Parties, or failing Agreement to be appointed by the Board of Trade.

patch Company to be settled by Arbitration.

CLAUSE H.
Power for Postmaster General to sell the equitable Interest in certain Lands.

21. And whereas the Mayor and Commonalty and Citizens of the City of London have vested in them the legal Estate of certain Lands which were purchased by them for the Purpose of forming a Site for the said General Post Office in Saint Martin's-le-Grand, and for other Purposes connected therewith: And whereas the Purchase Money for the said Lands was in part supplied by the said Mayor and Commonalty and Citizens and in part by the Postmaster General, who on behalf of Her Majesty has an equitable Interest in such Lands: And whereas it is desirable that the Interest of the Postmaster General in such Lands should be realized: Be it therefore enacted, That Her Majesty's Postmaster General may, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, or any Two of them, (such Consent or Approbation to be certified by One of the Secretaries or Assistant Secretaries of the Treasury by Writing under his Hand,) at a Price to be agreed on between the said Postmaster General and the said Mayor and Commonalty and Citizens, sell, convey, and release to the said Mayor and Commonalty and Citizens all Right, Title, and Interest of Her Majesty and the Postmaster General in the said Lands, and upon Payment of the Amount agreed upon such Lands shall be absolutely vested in and belong to the said Mayor and Commonalty and Citizens to and for their own Use and Benefit.

Saving Rights of Commissioners of Sewers.

22. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City of London.

CLAUSE I.
For Protection of the City of London Gaslight and Coke Company.

23. If in the Removal and pulling down of any Buildings, or in raising or lowering the Ground of any Street or Way, it shall be necessary to raise, sink, or otherwise alter the Position relatively to the Surface of the Ground of any Main or Service Pipe, or other Apparatus laid down or used by the City of London Gaslight and Coke Company, or connected with any House or Building for the Supply of Gas One Month's Notice shall be given to the said Company previously to the Commencement of any such Work which shall be executed to the reasonable Satisfaction of the Engineer of the said Company, or in case of Difference of an Engineer to be selected by the Board of Trade, and every such Work shall be so executed as to cause as little Inconvenience as Circumstances will admit to the said Company, and Her Majesty's Postmaster General shall make Compensation to the said Company for all Loss or Damage, if any, which may be occasioned by the Execution of the Works by this Act authorized, or any or either of them.

CLAUSE K.
For Protection of New River Company.

24. If in the Removal or pulling down or erection of any Buildings, or in raising or lowering or otherwise disturbing the Ground of any Street or Way, it shall be necessary to raise, sink, or otherwise alter the Position relatively to the Surface of the Ground of any Main or Service Pipe or other Apparatus laid down or used by the New River Company, or connected with any House or Building for the Supply of Water, One Month's Notice shall be given to the said Company previously to the commencement of any such Work, which shall be executed to the reasonable Satisfaction of the Engineer of the said Company, or in case of Difference of an Engineer to be selected by the Board of Trade, and every such Work shall be so executed as to cause as little Inconvenience as Circumstances will admit to the said Company; and Her Majesty's Postmaster General shall make Compensation to the said Company for all Loss or Damage, if any, which may be occasioned by the Execution of the Works by this Act authorized, or any or either of them.

Exemption from Buildings Act.

25. All Buildings to be erected in pursuance of this Act shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

No Purchases to be made without Authority of Treasury.

26. No Purchase shall be made by Her Majesty's Postmaster General for the Purposes of this Act, without the Assent in Writing of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer, but it shall not be necessary for any Vendor or any Purchaser from Her Majesty's Postmaster General to ascertain that such Assent has been given, nor shall Her Majesty's Postmaster General be bound to produce to any such Vendor or Purchaser any Evidence of such Assent: Provided, nevertheless, that such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Authentication of Notices.

27. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of Her Majesty's Postmaster General may be given, issued, or signed by the Solicitor or Secretary of the General Post Office for the Time being, and need not be under the Common Seal of Her Majesty's Postmaster General, and may be in Writing or in Print, or partly in Writing and partly in Print.

Orders concerning Money

28. All Orders which, under this Act and the Acts incorporated herewith, the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had; subject, nevertheless, to any General Orders, which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Application.

paid into Court may be made at Chambers.

Postmaster General not to be personally liable.

29. Nothing in this Act, or in any Deed or Instrument entered into or made by Her Majesty's Postmaster General for the Purposes of this Act, shall extend to charge the Person of Her Majesty's Postmaster General executing any such Deed or Instrument, or the Heirs, Executors, or Administrators of Her Majesty's Postmaster General, or any of them, or either or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the said Deed or Instrument contained on the Part of Her Majesty's Postmaster General; but the Amount of all Costs, Charges, Damages, or Expenses which shall or may be recovered in any Suit or Suits at Law or in Equity against Her Majesty's Postmaster General, or against his Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expenses which Her Majesty's Postmaster General shall bear, pay, expend, be put to, or which shall be occasioned to him for or by reason or means of any such Deed or Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against him thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

Monies payable to Postmaster General to be paid into Bank of England.

30. All Monies which shall become payable to the Postmaster General under the Provisions of this Act shall be paid to the Receiver and Accountant General for the Time being of Her Majesty's Post Office, to be by him placed to the Account of Her Majesty's Postmaster General at the Bank of England; and the unstamped Receipt of the Receiver and Accountant General of the Post Office for such Monies shall effectually discharge the Person or Persons by whom or on whose Account the same shall be paid, and no such Person shall be bound to see to the Application or be answerable for the Nonapplication or Misapplication thereof.

31. No

Deeds not liable to Stamp Duty.

31. No Deed, Bond, or other Instrument which shall be made or executed by, to, or with Her Majesty's Postmaster General, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged therewith by any future Act.

Deposited Plans may be inspected.

32. A Copy of the Plans of the prescribed Lands shall be deposited in the Office of the Clerk of the Peace for the City of London, and shall remain at the said Office to the End that all Persons may at all reasonable Times inspect the same at their Pleasure, paying One Shilling at each Inspection.

(Additional Site).

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To enable Her Majesty's Postmaster General to acquire a Site for the Extension of the General Post Office in St. Martin's-le-Grand, in the City of London.

(Prepared and brought in by Mr. F. Peel and Mr. Cowper.)

Ordered, by The House of Commons, *to be Printed,* 16 *May* 1865.

[Bill 149.]

Under 2 oz.

Grand Juries (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

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SCHEDULES.

A

BILL

TO

Amend the Laws relating to Grand Juries in Ireland.

Preamble.

WHEREAS it is expedient that better Provision should be made for the Administration of the Fiscal Affairs of Counties, Counties of Cities and Counties of Towns, in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grand Juries shall have no Power to make Presentments for Public Works or for raising Money.

1. From and after the *Commencement of this Act*, it shall not be lawful for any Grand Jury of any County, County of a City or County of a Town, (except the County of the City of Dublin,) at any Assizes or Presenting Term, to make any Presentment for the Execution of any public Work whatsoever, or for raising or levying any Money whatsoever, or to make any Presentment relating to any of the Fiscal Concerns of such County, County of a City or County of a Town.

Number of Cesspayers on the Baronial Board to

2. Within *One Month* after the passing of this Act the Lord Lieutenant of Ireland shall fix and determine the Number of Cesspayers (with reference to the Extent and Circumstances of each particular be determined by the Lord Lieutenant.

Barony) who shall be associated with not more than an equal Number of elected Magistrates for the Purpose of forming Barony Boards in every County.

The Number of elected Ratepayers not in any Case to be less than *Six* or to exceed *Nine*. The Board so formed to constitute the Presentment Sessions for the Barony, and to have Power to appoint a Sub-Committee from their Number to inspect and report on the State of the Roads in the Barony as well as on Works in progress, and to meet at least *once in Three Months*, or as often as may be necessary.

Constitution of Boards for Administration.

Lord Lieutenant to appoint Times and Places for Election of County Boards.

3. The Lord Lieutenant of Ireland shall, within *Two Calendar Months* after the passing of this Act, by any Order or Orders to be *twice* published in the Dublin Gazette and in *One* or more Newspapers circulating in the respective County to which the same may relate, appoint a Time and Place for the first Election of Members of a County Board for each County, County of a City and County of a Town, in Ireland, (provided that the Time so appointed shall not be sooner than   or later than   from the first Publication of such Order, and that the Place so appointed shall be within the Precincts of such County, County of a City or County of a Town respectively), and also shall fix the Number of Representatives of each Barony Board to be elected in the Manner herein-after mentioned.

Justices possessing Lands liable to County Cess to elect annually from themselves certain Members of County Board.

4. On such Day and at such Place as shall have been appointed respectively as herein-before provided, the several Justices of the Peace of each Barony (not being Stipendiary Magistrates), possessing Lands or Messuages either in their own Occupation or in that of their Tenants within the Barony, and which shall have been assessed and liable to the Payment of County Cess under the last Warrant for the Time being issued for the Collection of County Cess for such County previous to such Meeting, shall and they are hereby required to assemble, and elect out of their Number by Ballot *One* Person, and in the Case of any County of a City or County of a Town which shall be a Barony of itself shall elect not less than *Six* or more than *Twelve* Justices out of their Number, to be Members of the County Board of such County, County of a City or County of a Town, as the Case may be, and so in like Manner on the   in every succeeding Year the Justices of the Peace so qualified for the Time being as aforesaid shall assemble and elect out of their Number the required Number of Justices respectively as aforesaid; and the Person or Persons so elected shall, together with the other elected Representatives herein-after mentioned of such County, County of a City or County of a Town, constitute a County Board for the Administration of the Fiscal Affairs of such County, County of a City or County of a Town respectively, pursuant to the Provisions herein-after contained, until the next ensuing Election of a County Board.

Justices to elect from amongst themselves Members of Baronial Board.

5. The Justices assembled for the Purpose of electing a Representative for the County Board shall at same Time elect by Ballot Members to represent them on the Baronial Board, the Number not to exceed that of the elected Ratepayers, and in the event of there not being sufficient Justices resident in or possessed of Lands within the Barony to make up the required Number, the Justices shall then select for that Purpose by Ballot the requisite Number from the Ratepayers at large of the Barony, as herein-after provided :

The Number of Ratepayers to be elected to the County Board shall not exceed One for each Barony.

Qualification of elected Ratepayers.

6. Every Person elected by the Ratepayers to the County Board shall be Owner or Occupier of Lands or Messuages assessed to the Value of *Fifty Pounds* in the County, if in a County, and if in a County of a City or Town of Lands or Messuages assessed to the Value of *Twenty Pounds.*

Every Person elected to the Baronial Board shall be the Owner or Occupier of Lands or Messuages assessed to the Value of *Twenty Pounds* in the County, and in the County of a City or Town of Lands or Messuages to the Value of *Ten Pounds.*

Election by Voting Papers.

7. The Secretary to the County Board shall cause to be left by the Constabulary at the Residence of every Person entitled to vote, *Two* Forms of Voting Papers (as in Schedule B.), one to be used for recording the Vote or Votes for a Member to serve on the County Board, and the other for like Purpose for the Members to serve on the Baronial Board. The said Papers to be again collected by the Constabulary, and delivered by them, at the Time and Place appointed, to the Secretary of the County Fiscal Board ; and the said Papers shall be then examined by him at the First Election in the Presence of a Magistrate or an associated Ratepayer, and at all subsequent Elections in the Presence of a Magistrate or an elected Ratepayer, and the Members so elected to the respective Boards declared.

In the event of a Difficulty arising from an Equality of Votes, the Person to be selected shall be decided by Lot.

Constitution of County Board.

8. The Ratepayers elected to serve on the County Fiscal Board in the Manner before mentioned shall, together with the Justices, constitute a County Board for the Administration of the Fiscal Affairs of such County, County of a City or County of a Town respectively, pursuant to the Provisions herein-after contained, until the next ensuing Election of a County Board.

Peers to be eligible on Baronial and County Boards.

9. From and after the *passing of this Act*, notwithstanding anything to the contrary contained in any Act of Parliament, all Peers, being duly qualified, shall be eligible to be elected and serve on any County and Baronial Board.

Rotation of Members of County and Baronial Boards.

10. *One Half* of the Members of each Baronial Board and of each County Board, consisting respectively of an equal Number of Justices and Ratepayers, shall go out of Office annually by Rotation, but be eligible for Re-election, the Individuals to retire the First Year to be determined by Lot amongst themselves, unless they shall otherwise agree at the last Ordinary Meeting of the Board previous to the annual Election, and at the End of the Second Year the Remainder of each such Board respectively shall go out of Office, and at the End of the Third and every subsequent Year the *One Half* who have been longest in Office shall go out of Office, and their Places shall be supplied in like Manner: Provided always, that in no Case shall more than One Representative from each Barony retire from the County Board by Rotation in any Year.

Supply of occasional Vacancies.

11. If any Member of a Baronial or County Board die, resign, or cease to be a Member by any other Cause than that of going out of Office by Rotation as aforesaid, the remaining Members of the Board, if they think proper so to do, may elect in his Place some other Justice or Ratepayer respectively, duly qualified, to be a Member, and the Member so elected to fill up any such Vacancy shall continue in Office as a Member so long only as the Person in whose Place he shall have been elected would have been entitled to continue if he had remained in Office.

The County Board to be a Corporation.

12. The County Fiscal Board of every County shall be a Body Corporate, under the Title of the [illegible], and shall have perpetual Succession and a Common Seal, and may sue and be sued, and may acquire and hold Lands as a Corporation, and shall have and be subject to all other Rights, Privileges, and Liabilities attaching to a Body Corporate.

Baronial Board to perform Duties of Presentment Sessions.

13. The Persons elected to serve on the Baronial Board shall, together with the Justices appointed, constitute a Board for the Transaction and Administration of all Matters hitherto performed by the Justices and associated Ratepayers at Presentment Sessions.

14. For

Baronial Board for the County at large Presentment Board.

14. For the Transaction of Business hitherto performed by the Presentment Sessions for the County at large a Board shall be formed, to be called the County at large Presentment Board, consisting of *One* Member from each of the Baronial Boards, selected by Ballot.

Cesspayers to have Votes according to Scale in Schedule.

15. At any Election of Members of each County and Barony Board every Cesspayer liable to pay or contribute County Cess, whether in *One* or *more than One* Sum or Charge, in respect of Lands in such Barony, shall have Votes according to the Scale in the Schedule (A.) to this Act annexed.

Votes of joint Ratepayers.

16. In case *Two* or more Ratepayers shall be jointly liable to pay or contribute to County Cess, each of them shall be entitled to vote according to the Proportion and Amount which shall be borne by him; and where One only of the Persons jointly liable shall claim to vote he shall be entitled to vote in respect of the whole of the Property in respect of which he shall be jointly entitled to vote.

District Board first elected to continue One Year, and until following.

17. The Baronial Boards which shall be first elected according to the Provisions of this Act shall continue in Office for *One Year* from the Period of such Election, and from thence until the Meeting of the Baronial Boards which shall be held as herein-after provided in *the Month of* next ensuing.

Baronial quarterly Boards to meet in and .

18. Each Baronial Board shall and they are hereby required to hold *quarterly* Meetings on such Days in the Months of and as shall have been appointed by such Board at the preceding half-yearly Meeting, such Days being within the *first Week* of the said Months respectively, and of which Days public Notice shall be duly given, and the First Meeting of each such Board shall be on the following their Election.

Chairman and Vice-Chairman to be elected.

19. Each County and Baronial Board at their First Meeting, of which due Notice shall be given, and at the First Meeting of each new Board annually elected as herein-before provided, shall elect out of the Members of such Board One Person to be Chairman and another Person to be Vice-Chairman of such Board, who shall respectively continue in Office until the next Election of a Board for such County or Barony respectively; and at every Meeting of such Board the said Chairman, if present, and in his Absence the Vice-Chairman, shall preside; and in case of the Absence of both at the Hour appointed for Meeting, the Members of such Board present shall elect One of themselves to preside at such Meeting as Chairman

If both absent, a Chairman of Meeting to be elected.

Chairman to have a Casting Vote. Meetings of County and Baronial Boards may be adjourned, and shall be public.

thereof; and the Chairman of every Meeting of any such Board shall have, in addition to his own Vote, a Casting Vote, in case of an Equality of Votes: Provided always, that any Meeting of a Baronial Board or County Board may be adjourned from Day to Day, as Occasion may require, and that all such Meetings shall be held in open Court, and all the Justices and Cesspayers of the County and all other Persons shall have free Access to such Meetings.

Declaration to be made by Members of County and Baron Boards.

20. Every Member of a Baronial or County Board shall, previously to acting at any Meeting of such Board, make and subscribe in open Court at such Meeting a Declaration according to the Form in the Schedule (C.) to this Act annexed, which Declaration the Chairman of such Meeting is hereby authorized and required to administer; and the Chairman of such Meeting is required to make out a List of the Persons who shall have made and subscribed such Declaration at every such Meeting, and shall forward the same to the Acting Clerk of the Peace for the County, to be by him preserved among the Records thereof.

County Officers.

Secretaries of County Boards.

21. The several Secretaries of Grand Juries in Ireland shall be the first Secretaries to the County Boards in the Counties for which they now act respectively; and whenever afterwards a Vacancy shall occur in the said Office in any County the County Board of such County shall and they are hereby required to appoint a fit and proper Person to be their Secretary; and every Secretary of a County Board shall also be Secretary of the Finance Committee herein-after mentioned of such County, and shall perform such Duties as herein-after provided.

County Boards may appoint Bank for Deposit of County Monies after Vacancy in Office of County Treasurers.

22. The existing County Treasurers shall be Treasurers to the County Board, but on any Vacancy arising from Death or Resignation each County Board may, should they think fit, appoint some Bank in which all Monies levied for County Rates or otherwise belonging to such County shall from Time to Time be lodged.

Powers of Grand Juries to make Presentments transferred to County Board.

23. The several and respective Powers, Duties, Liabilities, or Authorities given or incidental or belonging to or vested in Grand Juries by any Act or Acts now in force shall, from and after the *Commencement of this Act*, be transferred from Grand Juries to and vested in and shall and may be exercised and discharged by the respective County Boards; and the several Provisions and Expressions in such Act or Acts contained in relation to Grand Juries shall be deemed and taken to extend and shall extend and apply to the respective County Boards.

Power for County Boards to redeem Tolls payable on certain Bridges.

24. Any Time after the completing and opening of any Bridge built in pursuance of any Public or Local Act of Parliament it shall and may be lawful for the County Board of the County in which such Bridge shall be situate, or if situate in Two Counties then for the County Boards of such Counties, to redeem the Tolls payable under such Act to the Owner or Owners of the said Tolls, by paying to them the full Value of their Interest therein, to be settled according to the Provisions of the Lands Clauses Consolidation Act, 1845, which for this Purpose is to be deemed incorporated herewith; and on Payment of such Value then the said Tolls shall cease, and the Passage of such Bridge shall be open and free to all Cattle, Carriages, and Persons whatsoever; and such County Board or County Boards is and are hereby empowered to order to be levied off the County or Counties at large, or any District or Districts thereof or of either thereof, such Sum or Sums of Money as may be sufficient to defray the Expenses of redeeming such Tolls in manner aforesaid, such Sum or Sums to be paid to the Owner or Owners of such Tolls.

County and Baronial Boards to exercise Powers under "The Land Drainage (Ireland) Act 1863."

25. The Powers hereby vested in the County and Baronial Boards to be constituted under this Act shall be held to extend to the Execution of such Works of Arterial Drainage as they or any of them shall consider necessary or advisable for the better Drainage of any Lands situated within any Barony.

And for the Purpose of assessing and applotting the Proportions in which the Proprietors of such Lands shall contribute to the Expense of such Drainage, the several Provisions of the Act of the Twenty-sixth and Twenty-seventh Years of the Reign of Her present Majesty, Chapter Twenty-six, intituled "The Land Drainage (Ireland) Act, 1863," shall be extended and incorporated with this Act.

26 & 27 Vict. c. 26.

County Boards to appoint Representatives on Boards of Governors of Lunatic Asylums.

26. From and after *the passing of this Act*, notwithstanding anything to the contrary contained in any Act of Parliament, it shall and may be lawful for each of the several County Boards hereby constituted to appoint from their Number Representatives to act on the Board of Governors of the District Lunatic Asylum of the County, who shall have equal Powers with Governors of the Asylum appointed by the Lord Lieutenant.

The Numbers appointed by the County Board shall not exceed the latter.

Where an Asylum is used for the Care and Treatment of the Insane of Two or more Counties each County shall appoint Representatives to act on the Board of Management in the same Proportion as the Governors appointed by the Lord Lieutenant for each of the

the respective Counties, and who shall report once every *Six Months* to the County Board on the State of the Asylum and Condition of the Patients, particularly in reference to those maintained at the Cost of the County which they represent.

Proportion of County Cess to be deducted from Rent.

27. Where the Person occupying any Lands shall be liable to pay a Rent in respect of the same, he may deduct from such Rent, for each Pound of the Rent which he shall be liable so to pay, One Half of the Sum which he shall have paid as County Cess in respect of each Pound of the net annual Value as estimated under the Acts now in force for the Relief of the destitute Poor (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any less Sum than a Pound.

Act not to extend to certain Places.

28. This Act shall not extend to any County of a City or Town where any Local or Public Improvement Act, or where the whole of "The Towns Improvement (Ireland) Act, 1854," is in operation.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

SHOWING

THE NUMBER of VOTES to which every Cesspayer shall be entitled in the Election of Members of the County and Baronial Board.

When the Cess which any Cesspayer is liable to pay under the last Warrant of the Treasurer of any County, or County of a City or Town, previous to the passing of this Act, or of the Finance Committee after the passing of it, shall be

under £4 - - - - One Vote,
where it amounts to £8, and does not amount to £12 Two Votes,
" £12 " £20 Three Votes,
" £20 " £50 Four Votes,
" £50 and upwards - - Five Votes.

SCHEDULE (B.)

FORM of VOTING PAPER for Member of County or Baronial Board.

No. .

I *A.B.* of, &c. [*here insert Name, Address, and Addition of Cesspayer*], being a Cesspayer of the Barony of County of [*or* County of the City or Town of, *as the Case may be*], and having paid Grand Jury Rates or Cess for or in respect of Lands [*or, in the Case of a City or Town,* House or Premises,] under the last Applotment made previous to that Date of the net annual Value of , and being entitled to Votes [*here insert annual Value, not being less than Four Pounds*], do give my Vote [*or* Votes, *as the Case may be,*] for the following qualified Cesspayers, to be associated with the Justices in the [*here insert County or Baronial Board*] to be held for this [County *or* Barony] [*here insert Name and Addresses of the Cesspayers voted for*].

Dated this Day of 18 .

(Signed)

SCHEDULE (C.)

I *A.B.* of [*here insert the Name and Place of Abode of the Member of a County Board or Baronial Board taking this Declaration*] do declare, That I will truly, faithfully, and impartially do and perform all such Acts, Matters, and Things as I am authorized to do and perform as a Member of the [County *or* Barony] Board of by and under the Provisions of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here set out the Title of this Act*], and that I will, without Favour, Affection, Hatred, or Malice or Ill-will, diligently inquire into and impartially and honestly judge and determine according to the Evidence, and to the best of my Judgment and Ability, upon the several Applications and other Matters which may be brought before me under the Authority of the said Act.

Witness my Hand .

Grand Juries (Ireland).

A

B I L L

To amend the Laws relating to Grand Juries in Ireland.

(Prepared and brought in by
Mr. Blake, Mr. M'Mahon, and Mr. Maguire.)

Ordered, by The House of Commons, *to be Printed,*
27 *March* 1865.

[Bill 93.]

Under 2 *oz.*

A

BILL

TO

Provide for the better Government of Greenwich Hospital and the more beneficial Application of the Revenues thereof.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Greenwich Hospital Act, 1865. Short Title.

2. This Act shall commence from and immediately after the *Thirtieth* Day of *September One thousand eight hundred and sixty-five.* Commencement.

3. In this Act— Interpretation.

The Term "the Admiralty" means the Commissioners for the Time being for executing the Office of Lord High Admiral of the United Kingdom:

The Term "Lands" includes any Estate, Term, Easement, Right, or Interest in, to, over, or affecting Lands.

Repeal of Enactments in Schedule.

4. From and after the Commencement of this Act the Enactments described in the Schedule to this Act shall be repealed, but this Repeal shall not affect the past Operation of any such Enactment, or any Right, Title, Obligation, or Liability accrued before the Commencement of this Act.

Pensions, Gratuities, and Allowances.

Power to order new Pensions, &c.

5. It shall be lawful for Her Majesty in Council from Time to Time, by Order in Council, to appoint such Pensions as seem fit to Officers, Non-commissioned Officers, and Men of the Royal Navy and Marines, to be enjoyed by them so long only as they are not on the Establishment or Inmates of Greenwich Hospital, but in addition to any Half Pay, Pension, or other Allowance coming to them otherwise than under any such Order in Council,—and to prescribe the Conditions on which such Pensions are to be held,—and to appoint such Gratuities as seem fit to Widows of Non-commissioned Officers and Men of the Royal Navy and Marines killed or drowned in the Service of the Crown.

Power to grant Allowances to present Inmates.

6. The Admiralty may appoint to any Non-commissioned Officers and Men of the Royal Navy or Marines who were on the *Sixth Day of April One thousand eight hundred and sixty-five* Inmates of Greenwich Hospital, and who being Inmates thereof after the *Commencement of this Act* are willing to cease to be Inmates thereof, such Allowances as seem fit, not exceeding the Rates of Money Allowance of which, on the *Sixth Day of April One thousand eight hundred and sixty-five*, they were in receipt as Inmates of the Hospital, to be enjoyed by them respectively in addition to any Greenwich Hospital Pensions appointed to them.

Name of Pensions, &c.

7. Pensions and Gratuities under any such Order in Council and such Allowances shall be distinguished as Greenwich Hospital Pensions, Gratuities, and Allowances (as the Case may be); and the Pensions now known as Greenwich Out Pensions shall be called Naval Pensions.

Pensions, &c. to be voted.

8. Greenwich Hospital Pensions, Gratuities, and Allowances shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Money to be voted before Title to Pension.

9. Nothing in this Act or in any Order in Council or Order of the Admiralty under it shall give any Person any Title to any Pension, Gratuity, or Allowance, unless Money is provided by Parliament for Payment thereof.

Alteration of Establishment.

Abolition of Commissioners, &c.

10. On the Commencement of this Act the several Offices of the Commissioners and of the Governor and of the Lieutenant Governor of Greenwich Hospital shall be abolished.

Power to remove other Officers, &c.

11. On the *Commencement of this Act*, or at any Time and from Time to Time thereafter, if and when for the better Execution of the Purposes of this Act it seems expedient, the Admiralty may remove from Office or Employment all or any Officers, Military or Civil, and all or any Clerks or Persons on the Establishment of or employed in connexion with Greenwich Hospital.

Annuities to be provided for Commissioners, &c.

12. Out of the Funded Property of Greenwich Hospital there shall be purchased from the Commissioners for the Reduction of the National Debt and provided (subject and according to the Provisions of the Acts relating to the Purchase of Annuities from the Commissioners for the Reduction of the National Debt) for each of the Persons holding Office at the Commencement of this Act as the Commissioners of Greenwich Hospital (other than the ex officio Commissioners), and for the Governor and the Lieutenant Governor of the Hospital, and for each Officer, Military or Civil, on the Establishment of the Hospital, remunerated by Salary, who is removed from Office or Employment by the Admiralty under the Provisions of this Act, an Annuity for his Life equal in Amount to the Value of the Salary and Emoluments attached to the Office of Commissioner, Governor, or Lieutenant Governor (as the Case may be), or to the Office or Employment from which each such Officer is so removed.

Continuance of Superannuation Allowance.

13. Provided, That if any Commissioner, or any Officer who is removed from Office as aforesaid, is at the Commencement of this Act in receipt of any Superannuation Allowance in respect of any former Employment in the Civil Service of the Crown, he shall be entitled to continue to receive, in addition to such Annuity as aforesaid, the Amount of Superannuation Allowance of which he is at the Commencement of this Act in receipt, and no more.

Titles, &c. of Governor and Lieut. Governor.

14. Provided also, That the Officers holding the Offices of Governor and Lieutenant Governor of Greenwich Hospital at the Commencement of this Act may retain their Titles as such, and may continue to occupy their Official Residences in the Hospital, and to enjoy the Allowances and Emoluments incident to those Residences; and in case the Governor or the Lieutenant Governor elects to continue to occupy his Official Residence, the Amount of the Annuity to be purchased for him as aforesaid shall be diminished by the annual Value to him of the Residence and of the Emoluments and Allowances incident thereto.

Annuities to be provided for Clerks, &c., if removed.

15. Out of the Funded Property of Greenwich Hospital there shall be purchased as aforesaid and provided for each Clerk or other Person employed in a subordinate Civil Capacity in connexion with Greenwich Hospital, and remunerated wholly or in part by Salary, who is removed from Employment by the Admiralty under the Provisions of this Act, an Annuity not less in Amount than the Superannuation Allowance to which a Person subject to The Superannuation Act, 1859, would under like Circumstances be entitled on Abolition of his Office.

Annuity to be held with Half Pay, &c.

16. Every Annuity provided as aforesaid shall be held and enjoyed by the Person for whom it is provided without Prejudice to his Right (if any) to the continued Receipt of any Naval or Military Pension or Half Pay, which he received while holding the Office of Commissioner, Governor, or Lieutenant Governor, or while holding such other Office or Employment as aforesaid, subject, however, to the subsequent Provisions of this Act.

Power to require Clerks to serve, &c.

17. The Admiralty may at any Time require any Clerk or other Person employed in a subordinate Civil Capacity in connexion with Greenwich Hospital, for whom an Annuity is provided as aforesaid, to serve in England under the Admiralty in any suitable Civil Capacity, regard being had to the former Position of such Person in connexion with the Hospital, and at a Salary not less than the Amount of the Emoluments of his Employment in connexion with the Hospital; and if any such Clerk or other Person being required fails so to serve, the Admiralty may direct that the Annuity so provided for him cease to be paid to him, and the same shall so cease, and shall revert to and be deemed Part of the Income of Greenwich Hospital.

Provision as to Annuity on Appointment to Office.

18. Where any Commissioner, Officer, Clerk or Person, while in receipt of an Annuity provided as aforesaid, appointed to any Office under the Crown or under the Admiralty, then, if the Annuity is equal to or greater than the annual Emoluments of the Office to which he is appointed, the Annuity shall be received by him in full Discharge of those Emoluments, and if the Annuity is less than those Emoluments, the Amount of the Annuity shall be received by him in discharge of an equal Amount of those Emoluments.

Hospital and Schools.

Government of Hospital, &c.

19. The Government of Greenwich Hospital and of the Schools of the Hospital, including the Authority to establish from Time to Time Regulations for the Admission of Inmates into the Hospital and of Children into the Schools, shall be vested exclusively in the Admiralty, but any such Regulations shall not have effect unless and until they are approved by Her Majesty in Council; and the Admiralty shall from Time to Time continue or appoint such Officers, Clerks, and Servants for the Purposes of the Hospital and Schools as seem fit, and may fix their Salaries and Wages, and may from Time to Time remove any of the Officers, Clerks, and Servants, and appoint others in their Stead.

Expenses to be voted.

20. From and after the *Commencement of this Act* the Expenses of the Maintenance and Government of Greenwich Hospital and of the Schools of the Hospital shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Property.

Transfer of Real Property.

21. All Lordships, Manors, Royalties, Tithes, Mines, and Hereditaments, which at the Commencement of this Act are by virtue of any Act of Parliament, Letters Patent, or otherwise, settled on or vested in or held by or in trust for the Commissioners of Greenwich Hospital for the Benefit of the Hospital, shall thenceforth remain and be settled on and vested in the Admiralty for the Benefit of Greenwich Hospital, absolutely discharged from all Right, Interest, and Claim of any Person whomsoever, in or to the same or any Part thereof, on any Account or Pretence.

Comptroller of Hospital Estate.

22. There shall be an Officer styled the Comptroller of the Greenwich Hospital Estate, who shall be appointed by the Admiralty, and shall hold Office during the Pleasure of the Admiralty, and shall have the general Superintendence, under the Directions of the Admiralty, of the Lands and other Property of the Hospital, and of the Accounts of the Income thereof and of the Outgoings in respect thereof.

Payment of Rents and Profits into Bank.

23. The Rents and Profits of the Lands of Greenwich Hospital shall, as and when received, be paid, without Deduction, into the Bank of England, to the Cash Account of Her Majesty's Paymaster General, who shall keep in his Books a separate Account to be called The Greenwich Hospital Income Account, and shall carry thereto the Sums so paid in.

Expenses of Management, &c.

24. The Expenses of Management of the Lands of Greenwich Hospital, and all necessary and proper Outgoings in respect thereof, shall be defrayed, under the Direction of the Admiralty, out of the Money for the Time being standing to the Credit of the Greenwich Hospital Income Account.

Transfer of Stock.

25. On or as soon as may be after the Commencement of this Act the Governor and Company of the Bank of England shall, on Requisition in Writing from the Admiralty, cause all Bank Annuities then standing in the Books of the Governor and Company of the Bank of England in the Name of the Commissioners of Greenwich Hospital, to be transferred to an Account to be called The Account of the Lords Commissioners of the Admiralty for the Time being, ex parte Greenwich Hospital (which Account is hereafter in this Act referred to as the Greenwich Hospital Funded Capital Account).

Payment of Dividends.

26. The Governor and Company of the Bank of England shall from Time to Time, under the Direction of the Admiralty, place to the Cash Account of Her Majesty's Paymaster General the Dividends for the Time being accrued due in respect of the Bank Annuities for the Time being standing to the Greenwich Hospital Funded Capital Account (inclusive of any such Dividend accrued due but not paid before the Commencement of this Act), and the same shall be carried to the Greenwich Hospital Income Account.

Transfer of Cash Balances.

27. On the Commencement of this Act the Governor and Company of the Bank of England shall transfer any Cash Balance then standing in their Books belonging to the Commissioners of Greenwich Hospital to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Income Account.

Transfer of other Personal Property.

28. All Personal Property not in the foregoing Provisions specified belonging to the Commissioners of Greenwich Hospital is hereby transferred to the Admiralty, and the same shall belong to the Admiralty for the Benefit of Greenwich Hospital.

Payment of other Income.

29. All annual Income not in the foregoing Provisions specified, arising from Property of Greenwich Hospital, or otherwise accruing to the Hospital, shall be paid into the Bank of England to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Income Account.

Saving for Charge on

30. Nothing in this Act shall affect the Provisions of Section Two of the Act of the Session of the Fourth and Fifth Years of the Reign of King William the Fourth (Chapter Thirty-four), "to repeal the "Laws relating to the Contribution out of Merchant Seamens "Wages towards the Support of the Royal Naval Hospital at "Greenwich, and for supplying other Funds in lieu thereof," whereby there is annually charged upon the Consolidated Fund of the United Kingdom the Sum of Twenty thousand Pounds, save only that after the Commencement of this Act the said Sum shall be carried to the Greenwich Hospital Income Account, instead of being paid to the Commissioners of Greenwich Hospital.

Consolidated Fund.

Accounts, &c.

Audit of Accounts of Property.

31. The Comptroller of the Greenwich Hospital Estate shall annually prepare and submit to the Commissioners for auditing the Public Accounts Accounts of the Receipt and Expenditure of the Capital and of the Income derived from the Lands and Property of Greenwich Hospital; and the Commissioners for auditing the Public Accounts shall audit the same as nearly as may be in like Manner as they audit the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and in relation to such Audit the Admiralty and the Commissioners for auditing the Public Accounts shall respectively have the like Powers, as nearly as may be, as the Commissioners of Her Majesty's Treasury and the Commissioners for auditing the Public Accounts respectively have in relation to the Audit of the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues.

Audit of Money voted.

32. The Accounts of all Money provided by Parliament for any of the Purposes of this Act shall be audited and allowed in the same Manner as the Accounts of Money granted and expended for Naval Services.

Certificate of Amount expended.

33. The Commissioners for auditing the Public Accounts shall, as soon as may be after the Completion of such Audit as last aforesaid for each Year, furnish to the Admiralty a Certificate of the Amount expended in that Year out of Money provided by Parliament for any of the Purposes of this Act.

Accounts to be laid before Houses of Parliament.

34. The Admiralty shall lay the Accounts so audited, with the Report thereon of the Commissioners for auditing the Public Accounts, before both Houses of Parliament, within *Fourteen Days* after the Completion of the Audit in each Year, if Parliament is then sitting, and if not then within *Fourteen Days* after the next Meeting of Parliament.

Repayment to Consolidated Fund.

35. In every Year, as soon as may be after the Receipt by the Admiralty of such Certificate, Her Majesty's Paymaster General shall under the Direction of the Admiralty pay from the Greenwich Hospital Income Account into the Receipt of Her Majesty's Exchequer a Sum, to be carried to and to form Part of the Consolidated Fund of the United Kingdom, equal to the Amount certified by such Certificate to have been expended in the Year to which the Certificate relates, together with a Sum equal to *Fifteen Pounds* per Head on the Number of Men by which the average Number of the Inmates of Greenwich Hospital during that Year falls short of *One thousand four hundred;* but with respect to the First Half Year after the Commencement of this Act a proportionate Part only of such last-mentioned Sum for that Half Year shall be paid.

Miscellaneous.

Tenure of Lands.

36. All Lands transferred to the Commissioners of Greenwich Hospital by the Act of Parliament constituting them, and vested in the Admiralty by virtue of this Act, shall be held by the Admiralty of the Queen's Majesty, Her Heirs and Successors, as of Her Majesty's Manor of East Greenwich in the County of Kent, by Free and Common Socage Tenure, but subject to any Quitrents, Crown Rents, and Duchy Rents to which the same are now respectively liable.

Services of Tenants.

37. On the Death of every successive Queen or King of this Realm, and at all other customary Times, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid by the Tenants of the last-mentioned Lands to the Admiralty, as by ancient Tenure, or by any Contract, Law, or Custom, or otherwise, have been or ought to be done, performed, and paid by them; and on their Default the same Forfeitures and Penalties shall accrue as would have accrued if the said Lands were actually vested in Her Majesty, Her Heirs and Successors, individually and not in a Political Capacity; and the Admiralty may take all legal Means for enforcing and recovering those Forfeitures and Penalties.

Actions by Admiralty.

38. The Commissioners of the Admiralty for the Time being may institute or defend any Action or Suit relative to any Lands contracted to be purchased or taken by the Commissioners of the Admiralty for the Time being for the Benefit of Greenwich Hospital, and may institute any Action of Ejectment or other Action or any Suit for recovering Possession of any Lands vested in or purchased or taken by the Commissioners of the Admiralty for the Time being for the Benefit of Greenwich Hospital, and may distrain or sue for any Arrears of Rent due to the Commissioners of the Admiralty in respect thereof, and may institute any Action or Suit in respect of any Trespass or Encroachment committed thereon or Damage done thereto, or any other Action or Suit in respect thereof, and may defend any Action or Suit in respect thereof; and in every such Action or Suit the Commissioners of the Admiralty, Parties thereto, may be styled "the Commissioners for executing the Office of Lord High Admiral of the United Kingdom," without more; and any such Action or Suit shall not be affected by any Change among the Commissioners of the Admiralty; and in any such Action or Suit the Commissioners of the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Transfer of Contracts, &c.

39. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Commissioners of Greenwich Hospital, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Admiralty; and all such Debts, Obligations, Contracts, Matters, and Things, and all Penalties and Forfeitures, shall be enforceable by or against the Admiralty to the same Extent as the same would, if this Act had not passed, have been enforceable by or against the Commissioners of Greenwich Hospital.

Continuance of Actions, &c.

40. All Actions, Suits, and other legal Proceedings commenced, or which, if this Act had not been passed, might have been commenced, by or against the Commissioners of Greenwich Hospital, may be continued or instituted by or against the Admiralty.

Power of Two Lords of Admiralty.

41. All Powers, Authorities, and Duties by this Act conferred and imposed on the Admiralty may be exercised and performed by any Two or more of the Commissioners of the Admiralty for the Time being.

Style of Admiralty in Deeds, &c.

42. In all Deeds, Powers of Attorney, and Instruments relating to any Lands, Stocks, Funds, Securities, Property, or Thing vested in or standing in the Names of or under the Control of the Admiralty for the Benefit of Greenwich Hospital, or whereto the Admiralty are Parties, the Admiralty may be styled "the Commissioners for executing the Office of Lord High Admiral of the United Kingdom," without more, and without the Names of them or any of them being stated.

Publication &c. of Orders in Council.

43. Every Order in Council under this Act shall be published in the London Gazette, and shall be laid before both Houses of Parliament within *One Month* after the making thereof if Parliament is then sitting, and if not, then within *One Month* after the next Meeting of Parliament.

SCHEDULE.

Greenwich Hospital.

A

BILL

To provide for the better Government of Greenwich Hospital and the more beneficial Application of the Revenues thereof.

(Prepared and brought in by Mr. Childers, Lord Clarence Paget, and Mr. Adam.)

Ordered, by The House of Commons, *to be Printed,* 25 *April* 1865.

[Bill 113.]

Under 2 *oz.*

Greenwich Hospital Bill.

[AS AMENDED IN COMMITTEE.]

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A

BILL

[AS AMENDED IN COMMITTEE]

TO

Provide for the better Government of Greenwich Hospital and the more beneficial Application of the Revenues thereof.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Greenwich Hospital Act, 1865. Short Title.

2. This Act shall commence from and immediately after the Thirtieth Day of September One thousand eight hundred and sixty-five. Commencement.

3. In this Act— Interpretation.

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral:

The Term "Lands" includes any Estate, Term, Easement, Right, or Interest in, to, over, or affecting Lands.

Repeal of Enactments in Schedule.

4. From and after the Commencement of this Act the Enactments described in the Schedule to this Act shall be repealed, but this Repeal shall not affect the past Operation of any such Enactment, or any Thing done, or Right, Title, Obligation, or Liability accrued under any such Enactment before the Commencement of this Act, or any Offence against any such Enactment committed before the Commencement of this Act, or any Punishment, Forfeiture, Remedy, or Proceeding in respect thereof.

Pensions, Gratuities, and Allowances.

Power to order new Pensions, &c.

5. It shall be lawful for Her Majesty in Council from Time to Time, by Order in Council, to appoint such Pensions as seem fit to Officers, Non-commissioned Officers, and Men of the Royal Navy and Marines, to be enjoyed by them so long only as they are not on the Establishment or Inmates of Greenwich Hospital, but in addition to any Half Pay, Pension, or other Allowance coming to them otherwise than under any such Order in Council,—and to prescribe the Conditions on which such Pensions are to be held,—and to appoint such Gratuities as seem fit to Widows of Non-commissioned Officers and Men of the Royal Navy and Marines killed or drowned in the Service of the Crown.

Power to grant Allowances to present Inmates.

6. The Admiralty may from Time to Time appoint to any Non-commissioned Officers and Men of the Royal Navy and Marines who were on the Sixth Day of April One thousand eight hundred and sixty-five Inmates of Greenwich Hospital, and who being Inmates thereof after the Commencement of this Act are willing to cease to be Inmates thereof, such Allowances as seem fit, not exceeding the Rates of Money Allowance of which, on the Sixth Day of April One thousand eight hundred and sixty-five, they were in receipt as Inmates of the Hospital, to be enjoyed by them respectively in addition to any Pensions appointed to them under any such Order in Council.

Name of Pensions, &c.

7. Pensions and Gratuities under any such Order in Council and such Allowances shall be distinguished as Greenwich Hospital Pensions, Gratuities, and Allowances (as the Case may be); and the Pensions now known as Greenwich Out Pensions shall be called Naval Pensions.

Assignments, &c., void.

8. Any Assignment, Sale, or Contract of or relating to any Greenwich Hospital Pension, Gratuity, or Allowance, other than such as may be made or entered into under the Authority of and in conformity with any Order in Council under this Act, shall be void.

Pensions, &c. to be voted.

9. Greenwich Hospital Pensions, Gratuities, and Allowances shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Money to be voted before Title to Pension.

10. Nothing in this Act or in any Order in Council or Order of the Admiralty under it shall give any Person any Title to any Pension, Gratuity, or Allowance, unless Money is provided by Parliament for Payment thereof.

Alteration of Establishment.

Abolition of Commissioners, &c.

11. On the Commencement of this Act the several Offices of the Commissioners and of the Governor and of the Lieutenant Governor of Greenwich Hospital shall be abolished.

Power to remove other Officers, &c.

12. On the Commencement of this Act, or at any Time and from Time to Time thereafter, if and when for the better Execution of the Purposes of this Act it seems expedient, the Admiralty may remove from Office all or any Officers, Military or Civil, on the Establishment of Greenwich Hospital, and may remove from Employment all or any Clerks or Persons employed in connexion with the Hospital.

Annuities to be provided for Commissioners, &c.

13. Out of the Funded Property of Greenwich Hospital there shall be purchased from the Commissioners for the Reduction of the National Debt and provided (subject and according to the Provisions of the Acts relating to the Purchase of Annuities from the Commissioners for the Reduction of the National Debt) for each of the Persons holding Office at the Commencement of this Act as the Commissioners of Greenwich Hospital (other than the ex officio Commissioners), and for the Governor and the Lieutenant Governor of the Hospital, and for each Officer, Military or Civil, on the Establishment of the Hospital, remunerated by Salary, who is removed from Office by the Admiralty under the Provisions of this Act, an Annuity for his Life equal in Amount to the Value of the Salary and Emoluments attached to the Office of Commissioner, Governor, or Lieutenant Governor (as the Case may be), or to the Office from which each such Officer is so removed.

Continuance of Superannuation Allowance.

14. Provided, That if any Commissioner, or any Officer who is removed from Office as aforesaid, is at the Commencement of this Act in receipt of any Superannuation Allowance in respect of any former Employment in the Civil Service of the Crown, he shall be entitled to continue to receive, in addition to such Annuity as aforesaid, the Amount of Superannuation Allowance of which he is at the Commencement of this Act in receipt, and no more.

Titles, &c. of Governor and Lieut. Governor.

15. Provided also, That the Officers holding the Offices of Governor and Lieutenant Governor of Greenwich Hospital at the Commencement of this Act may retain their Titles as such, and may continue to occupy their Official Residences in the Hospital, and to enjoy the Allowances and Emoluments incident to those Residences; and in case the Governor or the Lieutenant Governor elects to continue to occupy his Official Residence, the Amount of the Annuity to be purchased for him as aforesaid shall be diminished by the annual Value to him of the Residence and of the Emoluments and Allowances incident thereto.

Annuities to be provided for Clerks, &c., if removed.

16. Out of the Funded Property of Greenwich Hospital there shall be purchased as aforesaid and provided for each Clerk or other Person employed in a subordinate Civil Capacity in connexion with Greenwich Hospital, and remunerated wholly or in part by Salary, who is removed from Employment by the Admiralty under the Provisions of this Act, an Annuity not less in Amount than the Superannuation Allowance to which a Person subject to The Superannuation Act, 1859, would under like Circumstances be entitled on Abolition of his Office.

Annuity to be held with Half Pay, &c.

17. Every Annuity provided as aforesaid shall be held and enjoyed by the Person for whom it is provided without Prejudice to his Right (if any) to the continued Receipt of any Naval or Military Pension or Half Pay, which he received while holding the Office of Commissioner, Governor, or Lieutenant Governor, or while holding such other Office or Employment as aforesaid, subject, however, to the subsequent Provisions of this Act.

Power to require Clerks to serve, &c.

18. The Admiralty may at any Time require any Clerk or other Person employed in a subordinate Civil Capacity in connexion with Greenwich Hospital, for whom an Annuity is provided as aforesaid, to serve in England under the Admiralty in any suitable Civil Capacity, regard being had to the former Position of such Person in connexion with the Hospital, and at a Salary not less than the Amount of the Emoluments of his Employment in connexion with the Hospital; and if any such Clerk or other Person being required fails so to serve, the Admiralty may direct that the Annuity so provided for him cease to be paid to him, and the same shall so cease, and shall revert to and be deemed Part of the Income of Greenwich Hospital.

Provision as to Annuity on Appointment to Office.

19. Where any Commissioner, Officer, Clerk or Person, while in receipt of an Annuity provided as aforesaid, is appointed to any Office under the Crown or under the Admiralty, then, if the Annuity is equal to or greater than the annual Emoluments of the Office to which he is appointed, the Annuity shall be received by him in full Discharge of those Emoluments, and if the Annuity is less than those Emoluments, the Amount of the Annuity shall be received by him in discharge of an equal Amount of those Emoluments.

Hospital and Schools.

Government of Hospital, &c.

20. The Government of Greenwich Hospital and of the Schools of the Hospital, including the Authority to establish from Time to Time Regulations for the Admission of Inmates into the Hospital and of Children into the Schools, shall be vested exclusively in the Admiralty, but any such Regulations shall not have effect unless and until they are approved by Her Majesty in Council; and the Admiralty shall from Time to Time continue or appoint such Officers, Clerks, and Servants for the Purposes of the Hospital and Schools as seem fit, and may (subject to the Approval of Her Majesty in Council) fix the Salaries of such Officers and Clerks, and may regulate the Wages of such Servants, and may from Time to Time remove any of the Officers, Clerks, and Servants, and appoint others in their Stead.

Expenses to be voted.

21. From and after the Commencement of this Act the Expenses of the Maintenance and Government of Greenwich Hospital and of the Schools of the Hospital shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Property.

Transfer of Real Property.

22. All Lands which at the Commencement of this Act are by virtue of any Act of Parliament or Letters Patent, or otherwise, settled on or vested in or held by or in trust for the Commissioners of Greenwich Hospital, shall thenceforth, by virtue of this Act, remain and be settled on and vested in the Admiralty for the Time being, for such Estate or Interest as at the Commencement of this Act the Commissioners of Greenwich Hospital have therein.

Lands to be held for Benefit of Hospital.

23. All Lands vested in the Admiralty by virtue of this Act shall go to and be held by the Lord High Admiral for the Time being or the Commissioners for the Time being for executing the Office of Lord High Admiral, in succession, in trust for Her Majesty, Her Heirs and Successors, for the exclusive Benefit of Greenwich Hospital; and, subject thereto and to the other Provisions of this Act, the same shall be held in the same Manner, and with under and according to the same Powers, Restrictions, and Provisions as Lands vested in the Admiralty under The Admiralty Lands and Works Act, 1864.

27 & 28 Vict. c. 57.

Quitrents, &c. for Lands.

24. Lands vested in the Admiralty by virtue of this Act shall continue subject to any Quitrents, Crown Rents, and Duchy Rents to which the same are respectively liable, as if this Act had not been passed.

Services of Tenants.

25. On the Death of every successive Queen or King of this Realm, and at all other customary Times, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid by the Tenants of the Lands vested in the Admiralty by virtue of this Act, as by ancient Tenure, or by any Contract, Law, or Custom, or otherwise, have been or ought to be done, performed, and paid by them, and as if this Act had not been passed; and on their Default the same Forfeitures and Penalties shall accrue as would have accrued if the said Lands were vested in Her Majesty, Her Heirs and Successors, individually and not in a Political Capacity, and as if this Act had not been passed.

Protection of existing Leases.

26. Every Lease made before the Commencement of this Act of Lands of Greenwich Hospital shall be as valid and binding in favour of and against the Admiralty as if the Admiralty had been therein named as the Lessors.

Payment of Rents and Profits into Bank.

27. The Rents and Profits of the Lands vested in the Admiralty by virtue of this Act shall, as and when received, be paid, without Deduction, into the Bank of England, to the Cash Account of Her Majesty's Paymaster General, who shall keep in his Books a separate Account to be called The Greenwich Hospital Income Account, and shall carry thereto the Sums so paid in.

Expenses of Management, &c.

28. The Expenses of Management of the Lands vested in the Admiralty by virtue of this Act, and all necessary and proper Outgoings in respect thereof, shall be defrayed, under the Direction of the Admiralty, out of the Money for the Time being standing to the Credit of the Greenwich Hospital Income Account.

Restrictions on leasing.

29. The Power of the Admiralty to make Leases of any of the Lands vested in them by virtue of this Act shall be exercised subject and according to the following Restrictions and Provisions:

First, The Term of an Agricultural Lease shall not exceed Twenty-one Years, of a Building Lease Ninety-nine Years, and of a Mining Lease Forty-two Years:

Secondly, Every Lease shall take effect in Possession and not in Reversion, and there shall be reserved thereby the best yearly Rent, to be incident to the immediate Reversion, that can reasonably be gotten; and a Fine or anything in the Nature thereof shall not be taken:

Thirdly, There shall be contained in every Lease a Condition of Re-entry for Nonpayment of Rent:

Fourthly, The Lessee shall execute a Counterpart of every Lease, and shall thereby covenant for Payment of the Rent thereby reserved:

Fifthly, In the Case of an Agricultural or Building Lease, the Lessee shall not be made dispunishable for Waste:

Sixthly, In the Case of a Building Lease a Rent smaller than the Rent ultimately payable may be reserved for all or any Part of the first Five Years of the Term:

Seventhly, In the Case of a Mining Lease Rent may be reserved by way of Toll, Duty, Royalty, or Reservation, by the Acre, the Ton, or otherwise.

Places of Worship, &c.

30. The Admiralty, with the Approval of Her Majesty in Council, may from Time to Time make free Grants of Land Part of the Lands vested in them by virtue of this Act, and Grants of Money, for the Erection of Buildings and providing Conveniences for Places of Worship, Residence of Ministers, Education of Children, or other public Purposes (so that any such Grant of Land do not include any Right to the Minerals under the Land granted, or comprise more than Two Acres in any One Parish).

Purchase Money of Land sold.

31. Any Purchase Money paid to Her Majesty's Paymaster General in respect of any Part of the Lands vested in the Admiralty by virtue of this Act, no longer required to be held by the Admiralty for the Benefit of the Hospital, and accordingly sold by them under the Powers of The Admiralty Lands and Works Act, 1864, as applied by this Act, shall be carried by him to an Account to be called The Greenwich Hospital Capital Account.

Transfer of Stock.

32. On or as soon as may be after the Commencement of this Act the Governor and Company of the Bank of England shall, on Requisition in Writing from the Admiralty, cause all Bank Annuities then standing in the Books of the Governor and Company of the Bank of England in the Names of the Commissioners of Greenwich Hospital, to be transferred to an Account to be called The Account of the Lord High Admiral or Commissioners of the Admiralty for the Time being, ex parte Greenwich Hospital; and the same shall belong to the Admiralty on behalf of Her Majesty for the exclusive Benefit of Greenwich Hospital.

Payment of Dividends.

33. The Governor and Company of the Bank of England shall from Time to Time, under the Direction of the Admiralty, place to the Cash Account of Her Majesty's Paymaster General the Dividends for the Time being accrued due in respect of the Bank Annuities held by the Admiralty for the Benefit of Greenwich Hospital (inclusive of any such Dividend accrued due but not paid before the Commencement of this Act), and the same shall be carried to the Greenwich Hospital Income Account.

Transfer of Cash Balances.

34. On the Commencement of this Act the Governor and Company of the Bank of England shall transfer any Cash Balance then standing in their Books belonging to the Commissioners of Greenwich Hospital to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Income Account.

Transfer of other Personal Property.

35. All Personal Property not in the foregoing Provisions specified belonging to the Commissioners of Greenwich Hospital is hereby vested in Her Majesty and Her Successors, for the exclusive Benefit of Greenwich Hospital.

Payment of other Income.

36. All Income not in the foregoing Provisions specified, arising from Property held for the Benefit of Greenwich Hospital, or otherwise accruing to the Hospital, shall be paid into the Bank of England to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Income Account.

Saving for Charge on Consolidated Fund.
4 & 5 W. 4. c. 34.

37. Nothing in this Act shall affect the Provisions of Section Two of the Act of the Session of the Fourth and Fifth Years of the Reign of King William the Fourth (Chapter Thirty-four), "to repeal the "Laws relating to the Contribution out of Merchant Seamens "Wages towards the Support of the Royal Naval Hospital at "Greenwich, and for supplying other Funds in lieu thereof," whereby there is annually charged upon the Consolidated Fund of the United Kingdom the Sum of Twenty thousand Pounds, save only that after the Commencement of this Act that Sum shall be carried to the Greenwich Hospital Income Account, instead of being paid to the Commissioners of Greenwich Hospital.

Conversion of Stock, &c.

38. The Admiralty may from Time to Time, with a view to the Execution of any of the Purposes of this Act, or to a Change of Investment, convert into Money any Bank Annuities, Stocks, Funds, or Securities for the Time being held by them for the Benefit of Greenwich Hospital, and all such Money shall be paid into the

Bank of England to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Capital Account.

Transfers between Capital and Income Accounts.

39. Her Majesty's Paymaster General shall from Time to Time, under the Direction of the Admiralty, carry over such Sums as Circumstances require from the Greenwich Hospital Income Account to the Greenwich Hospital Capital Account, and vice versâ.

Change of Investment and Purchase of Lands.

40. The Admiralty may from Time to Time lay out or invest any Cash standing to the Greenwich Hospital Capital Account in the Purchase of any Bank Annuities, or on Mortgage of Freehold Lands in the United Kingdom, or, with the Approval in each Instance of the Commissioners of Her Majesty's Treasury, in or on any other Stocks, Funds, or Securities, or, with the like Approval, in the Purchase of Lands.

Application of 27 & 28 Vict. c. 57.

41. The Provisions of The Admiralty Lands and Works Act, 1864, shall apply to and for the Purposes of every such Purchase of Lands.

Vesting of Lands purchased.

42. Lands so purchased shall be assured to the Admiralty, and the same shall go and be held in the same Manner, and with under and according to the same Powers, Restrictions, and Provisions, as the Lands vested in the Admiralty by virtue of this Act.

Devises, &c. for Hospital.

43. Any Person may, notwithstanding any Statute passed or to be passed restraining Alienation in Mortmain or Dispositions for Charitable Uses, by Deed or Testamentary Writing, grant, give, or appoint any Property for any Estate or Interest for which he is empowered to dispose thereof, to be held for the Benefit of Greenwich Hospital; and the same (according to the Nature and Quality of such Property) shall accordingly be held as the Lands vested in the Admiralty by virtue of this Act are held, or as Personal Property by this Act vested in Her Majesty and Her Successors, for the Benefit of Greenwich Hospital, is held.

Sale of Advowsons.

44. The Admiralty shall sell and convey the Advowsons of and Rights of Presentation to the Benefices and Perpetual Curacies belonging to Greenwich Hospital, discharged from the Provisions of any Act of Parliament relative thereto other than this Act, and subject and according to the Provisions of a Scheme to be prepared by the Admiralty with the Advice and Assistance of the Ecclesiastical Commissioners for England and to be approved by Her Majesty in Council, the Arrangements made by such Scheme to be

26 & 27 Vict. c. 120.

as nearly as Circumstances admit similar to the Arrangements contained in The Lord Chancellor's Augmentation Act (1863), subject to the following Provisions:

(1.) One Moiety of the Purchase Money received on any such Sale shall be applied to the Creation and Maintenance of a Fund for the Benefit of Retired Naval Chaplains, the Mode of Creation and Maintenance of the Fund and the Application thereof to be from Time to Time determined by Order in Council:

(2.) The other Moiety of the Purchase Money shall be applied to the Augmentation of the Income of any of the said Benefices and Perpetual Curacies, in manner prescribed by any such Scheme.

The Draft of any such Scheme shall be laid before both Houses of Parliament One Month at least before the Scheme is submitted for the Approval of Her Majesty in Council.

Marked Stores.

27 & 28 Vict. c. 91.

45. The following Mark may be applied in or on Stores used or intended to be used for the Purposes of Greenwich Hospital, to denote Her Majesty's Property in Stores so marked, namely,—an Anchor, surmounted with a Naval Crown, with Two Flags over the Crown, and the Letter G on one Side, and the Letter H on the other Side; and Stores used or intended to be used as aforesaid shall be deemed Naval Stores, within the Meaning of The Naval and Victualling Stores Act, 1864, and that Act shall apply thereto as if the Mark in the present Section described were described in the Schedule to that Act; and that Act shall apply to all Stores so marked before the Commencement of this Act becoming by virtue of this Act the Property of Her Majesty.

Comptroller of Hospital Estate.

46. There shall be an Officer styled The Comptroller of the Greenwich Hospital Estate, who shall be appointed by the Admiralty on behalf of Her Majesty, and shall hold Office during the Pleasure of the Admiralty, and shall have the general Superintendence, under the Direction of the Admiralty, of the Lands and other Property held for the Benefit of the Hospital.

Accounts, &c.

Audit of Accounts of Property.

47. The Accountant General of the Navy shall annually prepare and submit to the Commissioners for auditing the Public Accounts Accounts of the Receipt and Expenditure of the Capital and of the Income derived from the Lands and Property held for the Benefit of Greenwich Hospital; and the Commissioners for auditing the Public Accounts shall audit the same as nearly as may be in like Manner as they audit the Accounts rendered by the Commissioners of Her

Majesty's Woods, Forests, and Land Revenues; and in relation to such Audit the Admiralty and the Commissioners for auditing the Public Accounts shall respectively have the like Powers, as nearly as may be, as the Commissioners of Her Majesty's Treasury and the Commissioners for auditing the Public Accounts respectively have in relation to the Audit of the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues.

48. The Accounts of all Money provided by Parliament for any of the Purposes of this Act shall be audited and allowed in the same Manner as the Accounts of Money granted and expended for Naval Services.

Audit of Money voted.

49. The Admiralty shall lay all the several Accounts so audited, with the Report thereon of the Commissioners for auditing the Public Accounts, before both Houses of Parliament, within Fourteen Days after the Completion of the Audit for each Year, if Parliament is then sitting, and if not then within Fourteen Days after the next Meeting of Parliament.

Accounts to be laid before Houses of Parliament.

50. The Commissioners for auditing the Public Accounts shall, as soon as may be after the Completion of the Audit for each Year of Money provided by Parliament for any of the Purposes of this Act, furnish to the Admiralty a Certificate of the Amount expended in that Year out of Money so provided.

Certificate of Amount expended.

51. In every Year, as soon as may be after the Receipt by the Admiralty of such Certificate from the Commissioners for auditing the Public Accounts, Her Majesty's Paymaster General shall under the Direction of the Admiralty pay from the Greenwich Hospital Income Account into the Receipt of Her Majesty's Exchequer a Sum, to be carried to and to form Part of the Consolidated Fund of the United Kingdom, equal to the Amount certified by such Certificate to have been expended in the Year to which the Certificate relates, together with a Sum equal to Fifteen Pounds per Head on the Number of Men by which the average Number of the Inmates of Greenwich Hospital during that Year falls short of One thousand four hundred; but with respect to the First Half Year after the Commencement of this Act a proportionate Part only of such last-mentioned Sum for that Half Year shall be paid.

Repayment to Consolidated Fund.

Miscellaneous.

52. The Admiralty may institute or defend any Action or Suit relative to any Lands contracted to be purchased or taken by the Admiralty for the Benefit of Greenwich Hospital, and may institute

Actions by Admiralty.

any Action of Ejectment or other Action or any Suit for recovering Possession of any Lands vested in or purchased or taken by the Admiralty for the Benefit of Greenwich Hospital, and may distrain or sue for any Arrears of Rent due to the Admiralty in respect thereof, and may institute any Action or Suit in respect of any Trespass or Encroachment committed thereon or Damage done thereto, or any other Action or Suit in respect thereof, and may defend any Action or Suit in respect thereof; and in every such Action or Suit the Admiralty may be styled "The Lord High Admiral of the United Kingdom," or "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," (as the Case requires,) without more; and any such Action or Suit shall not be affected by any Change in the Admiralty; and in any such Action or Suit the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Rights of Crown.

53. Nothing in this Act shall take away or abridge in any Action or Suit the legal Rights, Privileges, and Prerogatives of Her Majesty, Her Heirs and Successors, but in all Actions and Suits instituted by or against the Admiralty in relation to Lands held for the Benefit of Greenwich Hospital, and in all Proceedings and Matters connected therewith, the Admiralty may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exercised and enjoyed in any Action or Suit in any Court of Law or Equity by Her Majesty, Her Heirs or Successors, as if the Crown were actually a Party to such Action or Suit.

Power to sue by Information, &c.

54. Notwithstanding anything in this Act, it shall be lawful for Her Majesty, Her Heirs and Successors, to proceed by Information in the Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which it would have been competent for Her Majesty, Her Heirs or Successors, so to proceed if no Provisions respecting Procedure had been inserted in this Act.

Transfer of Contracts, &c.

55. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Commissioners of Greenwich Hospital, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Admiralty on behalf of Her Majesty; and all such Debts, Obligations, Contracts, Matters, and Things shall be enforceable by or against the Admiralty on behalf of Her Majesty to the same Extent as the same would, if this Act had not passed, have been enforceable by or against the Commissioners of Greenwich Hospital.

56. All Actions, Suits, and other legal Proceedings commenced, or which, if this Act had not been passed, might have been commenced, by or against the Commissioners of Greenwich Hospital, may be continued or instituted by or against the Admiralty on behalf of Her Majesty.

Continuance of Actions, &c.

57. All Powers, Authorities, and Duties by this Act conferred and imposed on the Admiralty may be exercised and performed by any Two of the Commissioners of the Admiralty.

Power of Two Lords of Admiralty.

58. In all Deeds, Powers of Attorney, and Instruments relating to any Lands, Stocks, Funds, Securities, Property, or Thing vested in or standing in the Names of or under the Control of the Admiralty for the Benefit of Greenwich Hospital, or whereto the Admiralty in relation to Greenwich Hospital are Parties, the Admiralty may be styled "The Lord High Admiral of the United Kingdom" or "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," (as the Case may require,) without the Name or Names of him or them or any of them being expressed.

Style of Admiralty in Deeds, &c.

Protection of Admiralty.

59. The Admiralty shall not, by reason of anything done or omitted to be done in the Execution or intended Execution of this Act, or in relation to any Lands vested in the Admiralty by virtue of this Act or purchased by the Admiralty under this Act, be liable collectively or individually to any Fine, Penalty, or Forfeiture, or to Execution of any Process against Person or Property.

60. Every Order in Council under this Act shall be published in the London Gazette, and shall be laid before both Houses of Parliament within One Month after the making thereof if Parliament is then sitting, and if not, then within One Month after the next Meeting of Parliament.

Publication &c. of Orders in Council.

SCHE-

SCHEDULE.

Enactments repealed.

10 Geo. 4. c. 25. in part.	An Act to provide for the better Management of the Affairs of Greenwich Hospital - - :— Except Sections Thirty-five and Thirty-six.
26 & 27 Vict. c. 67.	The Greenwich Hospital (Provision for Widows) Act, 1863.

Greenwich Hospital.

A

BILL

[AS AMENDED IN COMMITTEE]

To provide for the better Government of Greenwich Hospital and the more beneficial Application of the Revenues thereof.

(Prepared and brought in by Mr. Childers, Lord Clarence Paget, and Mr. Adam.)

Ordered, by The House of Commons, *to be Printed, 29th May 1865.*

[Bill 179.]

Under 3 oz.

A

BILL

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Provide for the better Government of Greenwich Hospital and the more beneficial Application of the Revenues thereof.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Greenwich Hospital Act, 1865. Short Title

2. This Act shall commence from and immediately after the Thirtieth Day of September One thousand eight hundred and sixty-five. Commencement.

3. In this Act— Interpretation.

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral:

The Term "Lands" includes any Estate, Term, Easement, Right, or Interest in, to, over, or affecting Lands.

Repeal of Enactments in Schedule.

4. From and after the Commencement of this Act the Enactments described in the Schedule to this Act shall be repealed, but this Repeal shall not affect the past Operation of any such Enactment, or any Thing done, or Right, Title, Obligation, or Liability accrued under any such Enactment before the Commencement of this Act, or any Offence against any such Enactment committed before the Commencement of this Act, or any Punishment, Forfeiture, Remedy, or Proceeding in respect thereof.

Pensions, Gratuities, and Allowances.

Power to order new Pensions, &c.

5. It shall be lawful for Her Majesty in Council from Time to Time, by Order in Council, to appoint such Pensions as seem fit to Officers, Non-commissioned Officers, and Men of the Royal Navy and Marines, and Seamen of the Merchant Service for the Time being entitled to the Benefits of Greenwich Hospital, to be enjoyed by them so long only as they are not on the Establishment or Inmates of Greenwich Hospital, but in addition to any Half Pay, Pension, or other Allowance coming to them otherwise than under any such Order in Council,—and to prescribe the Conditions on which such Pensions are to be held,—and to appoint such Gratuities as seem fit to Widows of Non-commissioned Officers and Men of the Royal Navy and Marines killed or drowned in the Service of the Crown.

Power to grant Allowances to present Inmates.

6. The Admiralty may from Time to Time appoint to any Non-commissioned Officers and Men of the Royal Navy and Marines who were on the Sixth Day of April One thousand eight hundred and sixty-five Inmates of Greenwich Hospital, and who being Inmates thereof after the Commencement of this Act are willing to cease to be Inmates thereof, such Allowances as seem fit, not exceeding the Rates of Money Allowance of which, on the Sixth Day of April One thousand eight hundred and sixty-five, they were in receipt as Inmates of the Hospital, to be enjoyed by them respectively in addition to any Pensions appointed to them under any such Order in Council.

Name of Pensions, &c.

7. Pensions and Gratuities under any such Order in Council and such Allowances shall be distinguished as Greenwich Hospital Pensions, Gratuities, and Allowances (as the Case may be); and the Pensions now known as Greenwich Out Pensions shall be called Naval Pensions.

Assignments, &c., void.

8. Any Assignment, Sale, or Contract of or relating to any Greenwich Hospital Pension, Gratuity, or Allowance, other than such as may be made or entered into under the Authority of and in conformity with any Order in Council under this Act, shall be void.

9. Greenwich Hospital Pensions, Gratuities, and Allowances shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Pensions, &c. to be voted.

Alteration of Establishment.

10. On the Commencement of this Act the several Offices of the Commissioners and of the Governor and of the Lieutenant Governor of Greenwich Hospital shall be abolished.

Abolition of Commissioners, &c.

11. On the Commencement of this Act, or at any Time and from Time to Time thereafter, if and when for the better Execution of the Purposes of this Act it seems expedient, the Admiralty may remove from Office all or any Officers, Military or Civil, on the Establishment of Greenwich Hospital, and may remove from Employment all or any Clerks or Persons employed in connexion with the Hospital.

Power to remove other Officers, &c.

12. Out of the Funded Property of Greenwich Hospital there shall be purchased from the Commissioners for the Reduction of the National Debt and provided (subject and according to the Provisions of the Acts relating to the Purchase of Annuities from the Commissioners for the Reduction of the National Debt) for each of the Persons holding Office at the Commencement of this Act as the Commissioners of Greenwich Hospital (other than the ex officio Commissioners), and for the Governor and the Lieutenant Governor of the Hospital, and for each Officer, Military or Civil, on the Establishment of the Hospital, remunerated by Salary, who is removed from Office by the Admiralty under the Provisions of this Act, an Annuity for his Life equal in Amount to the Value of the Salary and Emoluments attached to the Office of Commissioner, Governor, or Lieutenant Governor (as the Case may be), or to the Office from which each such Officer is so removed.

Annuities to be provided for Commissioners, &c.

13. Provided, That if any Commissioner, or any Officer who is removed from Office as aforesaid, is at the Commencement of this Act in receipt of any Superannuation Allowance in respect of any former Employment in the Civil Service of the Crown, he shall be entitled to continue to receive, in addition to such Annuity as aforesaid, the Amount of Superannuation Allowance of which he is at the Commencement of this Act in receipt, and no more.

Continuance of Superannuation Allowance.

14. Provided also, That the Officers holding the Offices of Governor and Lieutenant Governor of Greenwich Hospital at the Commencement of this Act may retain their Titles as such, and may continue to occupy their Official Residences in the Hospital, and to

Titles, &c. of Governor and Lieut. Governor.

enjoy the Allowances and Emoluments incident to those Residences; and in case the Governor or the Lieutenant Governor elects to continue to occupy his Official Residence, the Amount of the Annuity to be purchased for him as aforesaid shall be diminished by the annual Value to him of the Residence and of the Emoluments and Allowances incident thereto.

Appointment of Visitor and Governor.

15. Provided further, That on the Death of the Officer holding the Office of Governor of Greenwich Hospital at the Commencement of this Act, the Admiralty may appoint an Officer of the Royal Navy of Rank not lower than that of Vice Admiral to be Visitor and Governor of Greenwich Hospital during good Behaviour, and from Time to Time on any Vacancy in the said Office may appoint a Successor with the like Qualification, and may (subject to the Approval of Her Majesty in Council) fix the Salary of such Officer, and may from Time to Time assign to him as Visitor such Duties as seem fit, but so that he be not authorized to interfere with the ordinary Government of the Hospital or of the Schools thereof.

Annuities to be provided for Clerks, &c., if removed.

16. Out of the Funded Property of Greenwich Hospital there shall be purchased as aforesaid and provided for each Clerk or other Person employed in a subordinate Civil Capacity in connexion with Greenwich Hospital, and remunerated wholly or in part by Salary, who is removed from Employment by the Admiralty under the Provisions of this Act, an Annuity not less in Amount than the Superannuation Allowance to which a Person subject to The Superannuation Act, 1859, would under like Circumstances be entitled on Abolition of his Office.

Annuity to be held with Half Pay, &c.

17. Every Annuity provided as aforesaid shall be held and enjoyed by the Person for whom it is provided without Prejudice to his Right (if any) to the continued Receipt of any Naval or Military Pension or Half Pay, which he received while holding the Office of Commissioner, Governor, or Lieutenant Governor, or while holding such other Office or Employment as aforesaid, subject, however, to the subsequent Provisions of this Act.

Power to require Clerks to serve, &c.

18. The Admiralty may at any Time require any Clerk or other Person employed in a subordinate Civil Capacity in connexion with Greenwich Hospital, for whom an Annuity is provided as aforesaid, to serve in England under the Admiralty in any suitable Civil Capacity, regard being had to the former Position of such Person in connexion with the Hospital, and at a Salary not less than the Amount of the Emoluments of his Employment in connexion with the Hospital; and if any such Clerk or other Person being required fails so to serve, the Admiralty may direct that the Annuity so provided for him cease to be paid to him, and the same shall so cease, and shall revert to and be deemed Part of the Income of Greenwich Hospital.

Provision as to Annuity on Appointment to Office.

19. Where any Commissioner, Officer, Clerk or Person, while in receipt of an Annuity provided as aforesaid, is appointed to any Office under the Crown or under the Admiralty, then, if the Annuity is equal to or greater than the annual Emoluments of the Office to which he is appointed, the Annuity shall be received by him in full Discharge of those Emoluments, and if the Annuity is less than those Emoluments, the Amount of the Annuity shall be received by him in discharge of an equal Amount of those Emoluments.

Hospital and Schools.

Government of Hospital, &c.

20. The Government of Greenwich Hospital and of the Schools of the Hospital, including the Authority to establish from Time to Time Regulations for the Admission of Inmates into the Hospital and of Children into the Schools, shall be vested exclusively in the Admiralty, but any such Regulations shall not have effect unless and until they are approved by Her Majesty in Council; and the Admiralty shall from Time to Time continue or appoint such Officers, Clerks, and Servants for the Purposes of the Hospital and Schools as seem fit, and may (subject to the Approval of Her Majesty in Council) fix the Salaries of such Officers and Clerks, and may regulate the Wages of such Servants, and may from Time to Time remove any of the Officers, Clerks, and Servants, and appoint others in their Stead.

Expenses to be voted.

21. From and after the Commencement of this Act the Expenses of the Maintenance and Government of Greenwich Hospital and of the Schools of the Hospital shall be in the first instance defrayed out of Money to be provided by Parliament for that Purpose.

Property.

Transfer of Real Property.

22. All Lands which at the Commencement of this Act are by virtue of any Act of Parliament or Letters Patent, or otherwise, settled on or vested in or held by or in trust for the Commissioners of Greenwich Hospital, shall thenceforth, by virtue of this Act, remain and be settled on and vested in the Admiralty for the Time being, for such Estate or Interest as at the Commencement of this Act the Commissioners of Greenwich Hospital have therein.

Lands to be held for Benefit of Hospital.

23. All Lands vested in the Admiralty by virtue of this Act shall go to and be held by the Lord High Admiral for the Time being or the Commissioners for the Time being for executing the Office of Lord High Admiral, in succession, in trust for Her Majesty, Her Heirs and Successors, for the exclusive Benefit of Greenwich Hospital; and, subject thereto and to the other Provisions of this Act, the same shall be held in the same Manner, and with under and according to the same Powers, Restrictions, and Provisions as Lands vested in the Admiralty under The Admiralty Lands and Works Act, 1864.

27 & 28 Vict. c. 57.

Quitrents, &c. for Lands.

24. Lands vested in the Admiralty by virtue of this Act shall continue subject to any Quitrents, Crown Rents, and Duchy Rents to which the same are respectively liable, as if this Act had not been passed.

Services of Tenants.

25. On the Death of every successive Queen or King of this Realm, and at all other customary Times, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid by the Tenants of the Lands vested in the Admiralty by virtue of this Act, as by ancient Tenure, or by any Contract, Law, or Custom, or otherwise, have been or ought to be done, performed, and paid by them, and as if this Act had not been passed; and on their Default the same Forfeitures and Penalties shall accrue as would have accrued if the said Lands were vested in Her Majesty, Her Heirs and Successors, individually and not in a Political Capacity, and as if this Act had not been passed.

Protection of existing Leases.

26. Every Lease made before the Commencement of this Act of Lands of Greenwich Hospital shall be as valid and binding in favour of and against the Admiralty as if the Admiralty had been therein named as the Lessors.

Payment of Rents and Profits into Bank.

27. The Rents and Profits of the Lands vested in the Admiralty by virtue of this Act shall, as and when received, be paid, without Deduction, into the Bank of England, to the Cash Account of Her Majesty's Paymaster General, who shall keep in his Books a separate Account to be called The Greenwich Hospital Income Account, and shall carry thereto the Sums so paid in.

Expenses of Management, &c.

28. The Expenses of Management of the Lands vested in the Admiralty by virtue of this Act, and all necessary and proper Outgoings in respect thereof, shall be defrayed, under the Direction of the Admiralty, out of the Money for the Time being standing to the Credit of the Greenwich Hospital Income Account.

Restrictions on leasing.

29. The Power of the Admiralty to make Leases of any of the Lands vested in them by virtue of this Act shall be exercised subject and according to the following Restrictions and Provisions:

First, The Term of an Agricultural Lease shall not exceed Twenty-one Years, of a Building Lease Ninety-nine Years, and of a Mining Lease Forty-two Years:

Secondly, Every Lease shall take effect in Possession and not in Reversion, and there shall be reserved thereby the best yearly Rent, to be incident to the immediate Reversion, that can reasonably be gotten; and a Fine or anything in the Nature thereof shall not be taken:

Thirdly, There shall be contained in every Lease a Condition of Re-entry for Nonpayment of Rent:

Fourthly, The Lessee shall execute a Counterpart of every Lease, and shall thereby covenant for Payment of the Rent thereby reserved:

Fifthly, In the Case of an Agricultural or Building Lease, the Lessee shall not be made dispunishable for Waste:

Sixthly, In the Case of a Building Lease a Rent smaller than the Rent ultimately payable may be reserved for all or any Part of the first Five Years of the Term:

Seventhly, In the Case of a Mining Lease Rent may be reserved by way of Toll, Duty, Royalty, or Reservation, by the Acre, the Ton, or otherwise.

Places of Worship, &c.

30. The Admiralty, with the Approval of Her Majesty in Council, may from Time to Time make free Grants of Land Part of the Lands vested in them by virtue of this Act, and Grants of Money, for the Erection of Buildings and providing Conveniences for Places of Worship, Residence of Ministers, Education of Children, or other public Purposes (so that any such Grant of Land do not include any Right to the Minerals under the Land granted, or comprise more than Two Acres in any One Parish).

Purchase Money of Land sold.

31. Any Purchase Money paid to Her Majesty's Paymaster General in respect of any Part of the Lands vested in the Admiralty by virtue of this Act, no longer required to be held by the Admiralty for the Benefit of the Hospital, and accordingly sold by them under the Powers of The Admiralty Lands and Works Act, 1864, as applied by this Act, shall be carried by him to an Account to be called The Greenwich Hospital Capital Account.

Transfer of Stock.

32. On or as soon as may be after the Commencement of this Act the Governor and Company of the Bank of England shall, on Requisition in Writing from the Admiralty, cause all Bank

Annuities then standing in the Books of the Governor and Company of the Bank of England in the Names of the Commissioners of Greenwich Hospital, to be transferred to an Account to be called The Account of the Lord High Admiral or Commissioners of the Admiralty for the Time being, ex parte Greenwich Hospital; and the same shall belong to the Admiralty on behalf of Her Majesty for the exclusive Benefit of Greenwich Hospital.

Payment of Dividends.

33. The Governor and Company of the Bank of England shall from Time to Time, under the Direction of the Admiralty, place to the Cash Account of Her Majesty's Paymaster General the Dividends for the Time being accrued due in respect of the Bank Annuities held by the Admiralty for the Benefit of Greenwich Hospital (inclusive of any such Dividend accrued due but not paid before the Commencement of this Act), and the same shall be carried to the Greenwich Hospital Income Account.

Transfer of Cash Balances.

34. On the Commencement of this Act the Governor and Company of the Bank of England shall transfer any Cash Balance then standing in their Books belonging to the Commissioners of Greenwich Hospital to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Income Account.

Transfer of other Personal Property.

35. All Personal Property not in the foregoing Provisions specified belonging to the Commissioners of Greenwich Hospital is hereby vested in Her Majesty and Her Successors, for the exclusive Benefit of Greenwich Hospital.

Payment of other Income.

36. All Income not in the foregoing Provisions specified, arising from Property held for the Benefit of Greenwich Hospital, or otherwise accruing to the Hospital, shall be paid into the Bank of England to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Income Account.

Saving for Charge on Consolidated Fund.
4 & 5 W. 4. c. 34.

37. Nothing in this Act shall affect the Provisions of Section Two of the Act of the Session of the Fourth and Fifth Years of the Reign of King William the Fourth (Chapter Thirty-four), "to repeal the "Laws relating to the Contribution out of Merchant Seamens "Wages towards the Support of the Royal Naval Hospital at "Greenwich, and for supplying other Funds in lieu thereof," whereby there is annually charged upon the Consolidated Fund of the United Kingdom the Sum of Twenty thousand Pounds, save only that after the Commencement of this Act that Sum shall be carried

carried to the Greenwich Hospital Income Account, instead of being paid to the Commissioners of Greenwich Hospital.

Conversion of Stock, &c.

38. The Admiralty may from Time to Time, with a view to the Execution of any of the Purposes of this Act, or to a Change of Investment, convert into Money any Bank Annuities, Stocks, Funds, or Securities for the Time being held by them for the Benefit of Greenwich Hospital, and all such Money shall be paid into the Bank of England to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the Greenwich Hospital Capital Account.

Transfers between Capital and Income Accounts.

39. Her Majesty's Paymaster General shall from Time to Time, under the Direction of the Admiralty, carry over such Sums as Circumstances require from the Greenwich Hospital Income Account to the Greenwich Hospital Capital Account, and vice versâ.

Change of Investment and Purchase of Lands.

40. The Admiralty may from Time to Time lay out or invest any Cash standing to the Greenwich Hospital Capital Account in the Purchase of any Bank Annuities, or in or on any Stocks, Funds, or Securities the Principal or Interest whereof is charged on or payable, by way of Guarantee or otherwise, out of the Revenues of the United Kingdom or of India, or on Mortgage of Freehold Lands in the United Kingdom, or, with the Approval in each Instance of the Commissioners of Her Majesty's Treasury, in or on any other Stocks, Funds, or Securities, or, with the like Approval, in the Purchase of Lands.

Application of 27 & 28 Vict. c. 57.

41. The Provisions of The Admiralty Lands and Works Act, 1864, shall apply to and for the Purposes of every such Purchase of Lands.

Vesting of Lands purchased.

42. Lands so purchased shall be assured to the Admiralty, and the same shall go and be held in the same Manner, and with under and according to the same Powers, Restrictions, and Provisions, as the Lands vested in the Admiralty by virtue of this Act.

Devises, &c. for Hospital.

43. Any Person may, notwithstanding any Statute passed or to be passed restraining Alienation in Mortmain or Dispositions for Charitable Uses, by Deed or Testamentary Writing, grant, give, or appoint any Property for any Estate or Interest for which he is empowered to dispose thereof, to be held for the Benefit of Greenwich Hospital; and the same (according to the Nature and Quality of such Property) shall accordingly be held as the Lands vested in the Admiralty by virtue of this Act are held, or as Personal Property by this Act vested in Her Majesty and Her Successors, for the Benefit of Greenwich Hospital, is held.

Sale of Advowsons.

44. The Admiralty shall sell and convey the Advowsons of and Rights of Presentation to the Benefices and Perpetual Curacies belonging to Greenwich Hospital, discharged from the Provisions of any Act of Parliament relative thereto other than this Act, and subject and according to the Provisions of a Scheme to be prepared by the Admiralty with the Advice and Assistance of the Ecclesiastical Commissioners for England and to be approved by Her Majesty in Council, the Arrangements made by such Scheme to be as nearly as Circumstances admit similar to the Arrangements contained in The Lord Chancellor's Augmentation Act (1863), subject to the following Provisions:

26 & 27 Vict. c. 120.

(1.) One Moiety of the Purchase Money received on any such Sale shall be applied to the Creation and Maintenance of a Fund for the Benefit of Retired Naval Chaplains, the Mode of Creation and Maintenance of the Fund and the Application thereof to be from Time to Time determined by Order in Council:

(2.) The other Moiety of the Purchase Money shall be applied to the Augmentation of the Income of any of the said Benefices and Perpetual Curacies, in manner prescribed by any such Scheme.

The Draft of any such Scheme shall be laid before both Houses of Parliament One Month at least before the Scheme is submitted for the Approval of Her Majesty in Council.

Marked Stores.

45. The following Mark may be applied in or on Stores used or intended to be used for the Purposes of Greenwich Hospital, to denote Her Majesty's Property in Stores so marked, namely,—an Anchor, surmounted with a Naval Crown, with Two Flags over the Crown, and the Letter G on one Side, and the Letter H on the other Side; and Stores used or intended to be used as aforesaid shall be deemed Naval Stores, within the Meaning of The Naval and Victualling Stores Act, 1864, and that Act shall apply thereto as if the Mark in the present Section described were described in the Schedule to that Act; and that Act shall apply to all Stores so marked before the Commencement of this Act becoming by virtue of this Act the Property of Her Majesty.

27 & 28 Vict. c. 91.

Comptroller of Hospital Estate.

46. There shall be an Officer styled The Comptroller of the Greenwich Hospital Estate, who shall be appointed by the Admiralty on behalf of Her Majesty, and shall hold Office during the Pleasure of the Admiralty, and shall have the general Superintendence,

dence, under the Direction of the Admiralty, of the Lands and other Property held for the Benefit of the Hospital.

Accounts, &c.

Audit of Accounts of Property.

47. The Accountant General of the Navy shall annually prepare and submit to the Commissioners for auditing the Public Accounts Accounts of the Receipt and Expenditure of the Capital and of the Income derived from the Lands and Property held for the Benefit of Greenwich Hospital; and the Commissioners for auditing the Public Accounts shall audit the same as nearly as may be in like Manner as they audit the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and in relation to such Audit the Admiralty and the Commissioners for auditing the Public Accounts shall respectively have the like Powers, as nearly as may be, as the Commissioners of Her Majesty's Treasury and the Commissioners for auditing the Public Accounts respectively have in relation to the Audit of the Accounts rendered by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues.

Audit of Money voted.

48. The Accounts of all Money provided by Parliament for any of the Purposes of this Act shall be audited and allowed in the same Manner as the Accounts of Money granted and expended for Naval Services.

Accounts to be laid before Houses of Parliament.

49. The Admiralty shall lay all the several Accounts so audited, with the Report thereon of the Commissioners for auditing the Public Accounts, before both Houses of Parliament, within Fourteen Days after the Completion of the Audit for each Year, if Parliament is then sitting, and if not then within Fourteen Days after the next Meeting of Parliament.

Certificate of Amount expended.

50. The Commissioners for auditing the Public Accounts shall, as soon as may be after the Completion of the Audit for each Year of Money provided by Parliament for any of the Purposes of this Act, furnish to the Admiralty a Certificate of the Amount expended in that Year out of Money so provided.

Repayment to Consolidated Fund.

51. In every Year, as soon as may be after the Receipt by the Admiralty of such Certificate from the Commissioners for auditing the Public Accounts, Her Majesty's Paymaster General shall under the Direction of the Admiralty pay from the Greenwich Hospital Income Account into the Receipt of Her Majesty's Exchequer a Sum, to be carried to and to form Part of the Consolidated Fund of the United Kingdom, equal to the Amount certified by such Certificate to have been expended in the Year to which the

Certificate relates, together with a Sum equal to Fifteen Pounds per Head on the Number of Men by which the average Number of the Inmates of Greenwich Hospital during that Year falls short of One thousand four hundred; but with respect to the First Half Year after the Commencement of this Act a proportionate Part only of such last-mentioned Sum for that Half Year shall be paid.

Miscellaneous.

Actions by Admiralty.

52. The Admiralty may institute or defend any Action or Suit relative to any Lands contracted to be purchased or taken by the Admiralty for the Benefit of Greenwich Hospital, and may institute any Action of Ejectment or other Action or any Suit for recovering Possession of any Lands vested in or purchased or taken by the Admiralty for the Benefit of Greenwich Hospital, and may distrain or sue for any Arrears of Rent due to the Admiralty in respect thereof, and may institute any Action or Suit in respect of any Trespass or Encroachment committed thereon or Damage done thereto, or any other Action or Suit in respect thereof, and may defend any Action or Suit in respect thereof; and in every such Action or Suit the Admiralty may be styled "The Lord High Admiral of the United Kingdom," or "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," (as the Case requires,) without more; and any such Action or Suit shall not be affected by any Change in the Admiralty; and in any such Action or Suit the Admiralty shall be liable and entitled to pay or receive Costs according to the ordinary Law and Practice relative to Costs.

Rights of Crown.

53. Nothing in this Act shall take away or abridge in any Action or Suit the legal Rights, Privileges, and Prerogatives of Her Majesty, Her Heirs and Successors, but in all Actions and Suits instituted by or against the Admiralty in relation to Lands held for the Benefit of Greenwich Hospital, and in all Proceedings and Matters connected therewith, the Admiralty may exercise and enjoy all such Rights, Privileges, and Prerogatives as are for the Time being exercised and enjoyed in any Action or Suit in any Court of Law or Equity by Her Majesty, Her Heirs or Successors, as if the Crown were actually a Party to such Action or Suit.

Power to sue by Information, &c.

54. Notwithstanding anything in this Act, it shall be lawful for Her Majesty, Her Heirs and Successors, to proceed by Information in the Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which it would have been competent for Her Majesty, Her Heirs or Successors, so to proceed if no Provisions respecting Procedure had been inserted in this Act.

55. All

Transfer of Contracts, &c.

55. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Commissioners of Greenwich Hospital, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Admiralty on behalf of Her Majesty; and all such Debts, Obligations, Contracts, Matters, and Things shall be enforceable by or against the Admiralty on behalf of Her Majesty to the same Extent as the same would, if this Act had not passed, have been enforceable by or against the Commissioners of Greenwich Hospital.

Continuance of Actions, &c.

56. All Actions, Suits, and other legal Proceedings commenced, or which, if this Act had not been passed, might have been commenced, by or against the Commissioners of Greenwich Hospital, may be continued or instituted by or against the Admiralty on behalf of Her Majesty.

Power of Two Lords of Admiralty.

57. All Powers, Authorities, and Duties by this Act conferred and imposed on the Admiralty may be exercised and performed by any Two of the Commissioners of the Admiralty.

Style of Admiralty in Deeds, &c.

58. In all Deeds, Powers of Attorney, and Instruments relating to any Lands, Stocks, Funds, Securities, Property, or Thing vested in or standing in the Names of or under the Control of the Admiralty for the Benefit of Greenwich Hospital, or whereto the Admiralty in relation to Greenwich Hospital are Parties, the Admiralty may be styled "The Lord High Admiral of the United Kingdom" or "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom," (as the Case may require,) without the Name or Names of him or them or any of them being expressed.

Protection of Admiralty.

59. The Admiralty shall not, by reason of anything done or omitted to be done in the Execution or intended Execution of this Act, or in relation to any Lands vested in the Admiralty by virtue of this Act or purchased by the Admiralty under this Act, be liable collectively or individually to any Fine, Penalty, or Forfeiture, or to Execution of any Process against Person or Property.

Publication &c. of Orders in Council.

60. Every Order in Council under this Act shall be published in the London Gazette, and shall be laid before both Houses of Parliament within One Month after the making thereof if Parliament is then sitting, and if not, then within One Month after the next Meeting of Parliament.

SCHEDULE.

Enactments repealed.

10 Geo. 4. c. 25. in part.	An Act to provide for the better Management of the Affairs of Greenwich Hospital - - } :— Except Sections Thirty-five and Thirty-six.
26 & 27 Vict. c. 67.	The Greenwich Hospital (Provision for Widows) Act, 1863.

Greenwich Hospital.

A

BILL

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

To provide for the better Government of Greenwich Hospital and the more beneficial Application of the Revenues thereof.

(Prepared and brought in by Mr. Childers, Lord Clarence Paget, and Mr. Adam.)

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1865.

[Bill 212.]

Under 2 *oz.*

A

BILL

TO

Transfer from the Admiralty to the Board of Trade Powers and Duties relative to certain Harbours.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Transfer by Orders in Council of Harbours in Schedule to Board of Trade.

1. It shall be lawful for Her Majesty in Council, from Time to Time, by Order in Council, on the joint Recommendation of the Commissioners of the Admiralty and the Board of Trade, to transfer, as from such Time as seems fit, from the Commissioners of the Admiralty to the Board of Trade, all or any of the Harbours specified in the Schedule to this Act, with the Breakwaters, Piers, Jetties, Quays, Wharves, Lighthouses, Roads, Approaches, Works, Buildings, and Things belonging thereto, and the Ground and Soil thereof, and the Lands and Hereditaments acquired for the Purposes thereof, and all Powers and Duties in relation thereto, as far as at the Time of the Transfer taking effect the Harbours, Property, Powers, and Duties aforesaid are vested in or imposed on the Commissioners of the Admiralty.

Board of Trade to hold Harbours, &c. for Public Service.

2. All Harbours and Property transferred under this Act to the Board of Trade shall be vested in them in trust for Her Majesty, Her Heirs and Successors, for the Public Service.

Publication, &c. of Orders in Council.

3. Every Order in Council under this Act shall be published in the London Gazette; and a Copy of the London Gazette containing any such Order shall be conclusive Evidence of the making and Publication of such Order, and every such Order shall be judicially noticed without being specially pleaded.

Orders to be laid before Houses of Parliament.

4. Every Order in Council under this Act shall be laid before both Houses of Parliament within *Thirty* Days after the making thereof if Parliament is then sitting, and if not then within *Thirty* Days after the next meeting of Parliament.

Short Title.

5. This Act may be cited as The Harbours Transfer Act, 1865.

SCHEDULE.

Harbours to be transferred.

Portland.
Dover.
St. Catherine's, Jersey.
Alderney.

Harbours Transfer.

A

B I L L

To transfer from the Admiralty to the Board of Trade Powers and Duties relative to certain Harbours.

(*Prepared and brought in by*
Mr. Milner Gibson and Lord Clarence Paget.)

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1865.

[Bill 216.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

HARBOURS TRANSFER BILL.

Note.—*The Page and Line refer to the Bill* (182.) *as printed by the Lords.*

Page 1.

At End of Clause 1. add ("but subject in any Case to such "Conditions and Restrictions (if any) as to Her Majesty in Council "seem fit")

Page 2.

Line 17. After ("Dover") insert ("the Outer Harbour")

[Bill 250.]

TO THE

HARBOURS TRANSFER BILL.

Ordered, by The House of Commons, *to be Printed,*
28 *June* 1865.

[Bill 250.]

Under 1 *oz.*

Harwich Harbour Bill.

ARRANGEMENT OF CLAUSES.

Clauses.
Preamble recites 26 & 27 Vict. c. 71. and 27 & 28 Vict. c. 102.

Preliminary.

1. Short Titles.
2. Construction of Act.
3. Interpretation.

Limits of Harbour.

4. Extension of Limits of Harbour up River Orwell.
5. Alteration of Maps.

Election for Mistley and Manningtree.

6. Election to be according to this Act.
7. Time for Elective Conservator going out.
8. Time for annual Election.
9. Returning Officer.
10. Mode of Election.
11. Appointment in case of Failure to elect.
12. Error, &c. in Election not to vitiate Acts done.

Meetings, &c.

13. Time and Place of Meeting of Board.
14. Allowance of travelling Expenses.

Lands.

15. Power to take specified Lands and Foreshore.
16. Power to dispose of Lands.

Works at Landguard Point.

17. Power to remove Parts of Landguard Point.
18. Power to construct Pier on Landguard Beach.
19. Tolls on Pier, &c.

Access to Harbour.

20. Power to prohibit Vessels anchoring off Entrance.

Ballast, Embankments, Moorings, &c.

21. Power to sell Ballast.
22. Power to construct Ballast Wharves, and take Tolls.
23. Power to license dredging, &c.
24. Power to make Works.
25. Prohibition of Erection of Works on Shore, &c.
26. Penalty for throwing Gravel, &c. into Harbour.
27. Power for Constable to arrest, &c.
28. Master and Owner of Vessel liable for such Offence.
29. Right to Moorings.
30. Licences for mooring of Coal Hulks.
31. Power to license Ferries.
32. Power to keep Steam Tugs.

Pilotage.

33. Conservancy Board to be Pilotage Authority.

Procedure, &c.

34. Jurisdiction of Justices.
35. Venue for Trial of Offences.
36. Penalty for assaulting Constable, &c.

Application of Tolls, &c.

37. Tolls, &c. to be applied as under Act of 1863.
38. Power to give Tolls, &c. as Security.

Miscellaneous.

39. Saving for Powers of Board.
40. Saving for Rights of Fishing, &c. under Crown.
41. Costs of Act.
SCHEDULE.

A

B I L L

TO

Amend the Acts relating to the Preservation and Improvement of Harwich Harbour.

WHEREAS it is expedient to amend in various Particulars The Harwich Harbour Acts, 1863 and 1864, and, among other things, to extend the Limits of the Harbour, and to regulate the Election of a Conservator by Owners and Occupiers of Lands in the Parishes of Mistley and Manningtree, and to extend the Powers of the Conservancy Board with respect to the Purchase of and the dealing with Lands, and the Execution of Works, and to make better Provision for securing free Access to the Harbour, and for regulating the Sale and taking of Ballast, and to prohibit Acts injurious to the Navigation of the Harbour, and to make better Provision for the Regulation of Moorings, Ferries, Pilotage, and other Matters, and otherwise to extend and better define the Jurisdiction and Authority of the Conservancy Board, and to authorize the taking by them of Tolls, Fees, Rates, and Dues in certain Cases:

Preamble.
26 & 27 Vict. c. 71.
27 & 28 Vict. c. 102.

And whereas for the Purposes of the Application for this Act there have been deposited with the Clerk of the Peace for the

County of Suffolk and with the Clerk of the Peace for the County of Essex Plans and Sections of the proposed new Works, and Plans showing Lands and Houses intended to be taken for the Purposes of this Act, together with a Book of Reference to those Plans (which Plans, Sections, and Book of Reference respectively are in this Act referred to as the deposited Plans, Sections, and Book of Reference):

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Titles.

1. This Act may be cited as The Harwich Harbour Act, 1865; and this Act and The Harwich Harbour Acts, 1863 and 1864, may be cited together as The Harwich Harbour Acts, and are comprised in that Expression when hereafter used in this Act.

Construction of Act.

2. This Act shall be read and have Effect as one Act with The Harwich Harbour Acts, 1863 and 1864, and the Purposes of this Act shall be deemed to be comprised in the Purposes of those Acts; and all Enactments incorporated with The Harwich Harbour Act, 1863, shall be deemed incorporated with this Act; and Terms used in this Act have the same Meanings as in The Harwich Harbour Act, 1863.

Interpretation.

3. In this Act—

The Terms "High-water Mark" and "Low-water Mark" mean those Marks respectively at ordinary Spring Tides:

The Term "the Harbour" means Harwich Harbour.

Limits of Harbour.

Extension of Limits of Harbour up River Orwell.

4. For the Purposes of The Harwich Harbour Acts the Harbour shall be deemed to extend up the River Orwell from the present Boundary of the Harbour to an imaginary Line drawn across the River between the Entrance therefrom into Levington Creek on the one Side of the River and a Point on the opposite Side of the River about One Furlong to the Westward of Shotley Sluice, and up all Streams, Pools, Creeks, Inlets, and Waters communicating directly or derivatively with the aforesaid Part of the River Orwell, as far as the Tide flows up those Streams, Pools, Creeks, Inlets, and Waters.

5. As soon as may be after the passing of this Act, the Board of Trade shall cause the Four several Maps made and kept under The Harwich Harbour Act, 1864, to be delivered to them, and shall cause the same to be amended, so as to show the Limits of the Harbour, in accordance with the Provisions of this Act; and the same Four several Maps, when so amended, shall be signed by the President of the Board of Trade, and shall be returned to the several Places of Deposit from which they were delivered, and shall be kept, and be open to Inspection, and shall be Evidence, in like Manner as they are under The Harwich Harbour Act, 1864.

Alteration of Maps.

Election for Mistley and Manningtree.

6. Notwithstanding anything in The Harwich Harbour Act, 1863, or in any Act therewith incorporated, the Provisions of this Act shall have Effect with respect to the Conservator elected by the Owners and Occupiers of Lands in the Parishes of Mistley and Manningtree (hereafter in this Act referred to as the Elective Conservator); and the following Sections of The Commissioners Clauses Act, 1847, (incorporated with The Harwich Harbour Act, 1863,) shall not have Effect with respect to that Conservator, namely, Sections Seventeen, Twenty to Twenty-three, and Twenty-five to Thirty-three (all inclusive).

Election to be according to this Act.

7. The Elective Conservator in Office at the passing of this Act shall remain in Office until the *First Thursday in August One thousand eight hundred and sixty-six*, and shall then go out of Office; and every Elective Conservator elected after the passing of this Act shall go out of Office on the *First Thursday in August* in the Year following his Election; and in every Instance the Place of the outgoing Elective Conservator shall be supplied by the Election of another Conservator.

Time for Elective Conservator going out.

8. For the Purposes of every such Election a Meeting of the Persons entitled to vote thereat shall be held on *the First Thursday in August* in each Year, at such Place, within One of the Parishes of Mistley and Manningtree, as the Conservancy Board from Time to Time direct; of which Meeting, and of the Time and Place thereof, and of the Time for the taking of the Poll thereat (in case a Poll is demanded) public Notice shall be given by the Clerk of the Conservancy Board, by Placard affixed on the principal Doors of the Parish Churches of the Parishes of Mistley and Manningtree, or other public Places in those Parishes, *Seven* clear Days at least before

Time for Annual Election.

before the Day of Election; and at that Meeting the Election of a Conservator shall be made.

Returning Officer.

9. The Chairman of the Conservancy Board, or in his Absence such other of the Conservators as the Chairman, by Writing under his Hand, appoints, or the Clerk or another Officer of the Conservancy Board so appointed, shall be the Returning Officer for such Election.

Mode of Election.

10. The Election shall be made by the Majority of Votes of the Electors present at the Place of Election at or within the Time appointed for the Election, or (in case a Poll is demanded) at or within the Time appointed for the taking of the Poll.

Appointment in case of Failure to elect.

11. In case for any Reason on any Occasion the Electors fail to elect a Conservator in conformity with this Act, the Conservancy Board shall, within *One Month* after such Failure, appoint a Person to fill the Place of Elective Conservator. Every such Appointment shall be made at a Meeting, Notice whereof shall be given in manner required for Special Meetings. Every Person so appointed shall for the Purposes of the Harwich Harbour Acts in all respects be as if he had been elected by the Electors instead of being so appointed.

Error, &c. in Election not to vitiate Acts done.

12. Any Act of the Conservancy Board shall not be invalidated or be illegal by reason of any Failure or Omission on any Occasion to elect or appoint any Conservator, or by reason of any other Irregularity, Error, Failure, or Omission in or about any Election or Appointment, or in or about any Matter preliminary or incidental thereto.

Meetings, &c.

Time and Place of Meeting of Board.

13. The Conservancy Board may hold their Meetings at such Times and Places as they from Time to Time think fit.

Allowance of travelling Expenses.

14. The Conservancy Board may allow to the Conservators respectively their reasonable travelling Expenses incurred in attending Meetings of the Board or otherwise in the Execution of their Duties.

Lands.

Power to take specified Lands

15. The Conservancy Board may enter on, purchase, and take all or any of the Lands described in the deposited Plans and Book of Reference, and also, with the Approval in each Instance of the Board of Trade, such Parts of the Foreshore of the Harbour below High-water Mark as they from Time to Time think requisite for the Execution of the Purposes of the Harwich Harbour Acts.

and Foreshore.

16. Notwithstanding anything in The Harwich Harbour Act, 1863, or in this Act, or in any Act incorporated therewith respectively, the Conservancy Board may at any Time and from Time to Time sell, demise, or otherwise dispose of any Lands held by them, for such Estates, Terms, or Interests, for or at such Considerations or Rents, and subject to such Covenants, Conditions, and Stipulations, as they think fit.

Power to dispose of Lands.

Works at Landguard Point.

17. The Conservancy Board may, by dredging, cutting, and otherwise, remove such Parts of Landguard Point, as well above as below High-water Mark, as they think it neccssary to remove for making the Harbour more readily accessible, but with respect to so much of the said Point as is above High-water Mark having purchased the same before removing any Part thereof.

Power to remove Parts of Landguard Point.

18. The Conservancy Board may construct and maintain a Pier and Landing-place, with all necessary Approaches, Works, and Conveniences, on the Landguard Inner Beach, at or near a Point *Twelve hundred Feet* or thereabouts, measured along the Shore in a northwardly Direction from the North-west Angle of the Fence inclosing the Lighthouse and Premises on Landguard Point in the Possession of the Trinity House, and thence extending in a Westwardly Direction into the Harbour for a Distance of about *Two hundred Feet.*

Power to construct Pier on Landguard Beach.

19. The Conservancy Board may demand and take in respect of the Use of the Pier and Landing Place such Tolls as they from Time to Time think fit, not exceeding those specified in the Schedule to this Act.

Tolls on Pier, &c.

Access to Harbour.

20. For better preventing Interference with Ingress and Egress into and from the Harbour, the Power of the Conservancy Board to make Byelaws shall extend to authorize the making by them from Time to Time of Byelaws for the following Purpose; namely, for prohibiting or restricting the anchoring of Vessels within a

Power to prohibit Vessels anchoring off Entrance.

Space included between the imaginary Line marking the Seaward Limit of the Harbour and another imaginary Line drawn from the Harbour Light on Landguard Point to Andrew's Buoy and thence across to Inner Ridge Buoy and thence to the Low Lighthouse on the Dovercourt Shore.

Ballast, Embankments, Moorings, &c.

Power to sell Ballast.

21. The Conservancy Board may from Time to Time sell, to be used as Ballast, or for other Purposes, any Gravel or other Substance dredged or raised by them from the Harbour.

Power to construct Ballast Wharves and take Tolls.

22. The Conservancy Board may from Time to Time construct and may maintain within the Harbour such Ballast Wharves as they think fit, and may demand and take in respect of the Use thereof such Tolls as they from Time to Time think fit.

Power to license dredging, &c.

23. The Conservancy Board may from Time to Time grant Licences to the Owners of Barges and Vessels and others to remove any Soil, Banks, Accumulations, and Obstructions within the Harbour below Low-water Mark, and to dredge and otherwise improve the Bed of the Harbour below Low-water Mark.

Power to make Works.

24. The Conservancy Board, with the Approval in each Instance of the Board of Trade, may, on any Lands vested in or taken by them by or under this Act, make such Works as they think proper.

Prohibition of Erection of Works on Shore, &c.

25. It shall not be lawful for any Person (except under Statutory Authority), at any Place within the Limits of the Jurisdiction of the Conservancy Board, to erect, construct, or place any Pier, Wharf, Wall, Groin, or other Erection on the Shore of the Sea or Harbour below High-water Mark, without the Licence of the Conservancy Board, which Licence they may give, if they think fit, and they may demand and take for the same a Fee according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint; but if in any Case any Applicant for such a Licence thinks himself aggrieved by the Refusal thereof, he may appeal to the Board of Trade, and the Decision of the Board of Trade shall be binding on and shall be carried into effect by the Conservancy Board.

Penalty for throwing Gravel, &c. into Harbour.

26. If any Person, without lawful Excuse (the Proof whereof shall lie on him), unloads, throws, or puts or causes or suffers to fall any Gravel or other Substance which has been used as

Ballast, or any Stones, Earth, Mud, Ashes, Refuse, or Rubbish, into the Harbour or on the Shore thereof below High-water Mark, or knowingly puts such Gravel or other Thing as aforesaid in any Place where the same is liable to be carried by Floods or extraordinary Tides into the Harbour, he shall for every such Offence be liable to a Penalty not exceeding *Twenty Pounds.*

Power for Constable to arrest, &c.

27. Any Constable, or any Person called by a Constable to his Assistance, may take into Custody, without Warrant, any Person found committing any such Offence as last aforesaid.

Master and Owner of Vessel liable for such Offence.

28. Where such Offence is committed from or out of a Vessel, the Master and the Owner of the Vessel shall be liable to be proceeded against and to be punished as aforesaid, so that the Master and the Owner of the Vessel be not both punished in respect of the same Offence.

Right to Moorings.

29. The Conservancy Board shall have the exclusive Right to lay down and maintain Moorings within the Harbour.

Licences for mooring of Coal Hulks.

30. The Conservancy Board may grant, for such Time and on such Terms as they think fit, Licences for the mooring of Hulks, for the Reception and Delivery of Coal, in such Parts of the Harbour as they from Time to Time think fit, and may demand and take in respect of such Licences Fees according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint.

Power to licence Ferries.

31. The Conservancy Board may from Time to Time authorize the Establishment of Ferries within the Harbour, and may grant Licences for Ferry Boats to be used thereat, and may demand and take for such Licences Fees according to such Scale as they from Time to Time, with the Approval of the Board of Trade, appoint; and if the Master or Owner of any Vessel uses the same, or allows it to be used, as a Ferry Boat within the Harbour, without a Licence from the Conservancy Board, or in contravention of the Terms of any Licence held by him, he shall be liable to a Penalty not exceeding *Forty Shillings* for every *Twenty-four Hours* during any Part whereof such Vessel is so used; but nothing in this Enactment shall make it obligatory on any Person to obtain a Licence in respect of any Ferry lawfully existing at the passing of this Act.

Power to keep Steam Tugs.

32. The Conservancy Board may provide and maintain Steam Tugs for towing Vessels into and within and out of the Harbour, and may demand and take for the Use thereof Payments according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint.

Pilotage.

Conservancy Board to be Pilotage Authority.

33. The Conservancy Board shall be a Pilotage Authority, within the Meaning of The Merchant Shipping Act, 1854, with all the Powers by that Act or otherwise conferred on Pilotage Authorities.

Procedure, &c.

Jurisdiction of Justices.

34. For the Purposes of the Harwich Harbour Acts, and of any Byelaw of the Conservancy Board made or to be made, the Jurisdiction of all Justices of the Peace for the Counties of Essex and Suffolk respectively, and for the Boroughs of Ipswich and Harwich, shall extend throughout the Limits of the Jurisdiction of the Conservancy Board.

Venue for Trial of Offences.

35. For the Purposes of Proceedings under the Harwich Harbour Acts, or under any Byelaw of the Conservancy Board made or to be made, every Offence shall be deemed to have been committed, and every Cause of Complaint under those Acts or any such Byelaw shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Offender or Person complained against happens to be.

Penalty for assaulting Constable, &c.

36. If any Person assaults or resists, or aids or incites any Person to assault or resist, any Constable or other Officer or Person in the Execution of his Duty, or the lawful Exercise of any Authority under the Harwich Harbour Acts or under any Byelaw of the Conservancy Board made or to be made, he shall for every such Offence be liable to a Penalty not exceeding *Five Pounds.*

Application of Tolls, &c.

Tolls, &c. to be applied as under Act of 1863.

37. The Conservancy Board shall apply all Money accruing to them under this Act from Tolls, Rates, Fees, Dues, Property, or otherwise, in like Manner as Money received by them from Rates under The Harwich Harbour Act, 1863, is applicable.

Power to give Tolls, &c. as Security.

38. For any Money to be borrowed by the Conservancy Board for the Purposes of the Harwich Harbour Acts, the Conservancy Board may give as Security, separately or otherwise, all or any Part of the Tolls, Rates, Fees, Dues, and Property leviable or acquired by them under this Act.

Miscellaneous.

Saving for Powers of Board.

39. Nothing in this Act shall take away or abridge any Right, Power, Authority, Estate, or Interest vested in the Conservancy Board.

Saving for Rights of Fishing, &c. underCrown.

40. Nothing in the Harwich Harbour Acts conferring on the Conservancy Board any Power in relation to the Bed of the Harbour shall authorize the Conservancy Board to do or license the doing of any Work or Thing that will injuriously affect the Estate, Right of fishing, or other Right or Interest whatever of any Person in any Part of the said Bed under any Grant or Lease made before the passing of this Act by or on behalf of Her Majesty the Queen or any of Her Royal Predecessors.

Costs of Act.

41. The Expenses of and preliminary and incidental to the preparing, obtaining, and passing of this Act shall be paid by the Conservancy Board.

SCHEDULE.

I.—Tolls for Vessels using the Pier and Landing Place.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats, entirely open, landing or taking on board goods, each	*0*	*6*

II.—Tolls for Goods shipped or unshipped at the Pier and Landing Place.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Ditto, per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per ton of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
Ditto, per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*
Canvas, per bolt	*0*	*1*
Casks (empty), not being returned packages, per puncheon	*0*	*3*
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	*3*	*0*
Calves, each	*1*	*0*
Horses, each	*4*	*0*
Pigs, each	*0*	*6*
Sheep, each	*1*	*0*
Chalk, per ton	*1*	*0*
Cheese, per cwt.	*0*	*4*
Chimney pots, each	*0*	*3*
Clay, per ton	*1*	*0*
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	*0*	*6*
Carriages:—		
Chaises and other four-wheeled carriages, each	*7*	*6*
Gigs, carts, and other two-wheeled carriages, each	*5*	*0*
Hand-carts and perambulators, each	*1*	*0*
Coals, per ton	*1*	*0*
Copper, per ton	*3*	*0*

	s.	*d.*
Cordage, per cwt.	*0*	*3*
Cork, per cwt.	*0*	*6*
Corpses, each	*20*	*0*
Crystal, per box or package	*0*	*6*
Dogs, each	*0*	*6*
Drugs (in casks, hampers, or boxes), per foot	*0*	*2*
Earthenware (in casks, hampers, or boxes), per foot	*0*	*2*
Earthenware (in crates), per foot	*0*	*1*
Eggs, per box	*0*	*3*
Fish (dried and salted), per cwt.	*0*	*3*
Ditto, fresh (not enumerated), per cwt.	*0*	*2*
Flax, per ton	*2*	*0*
Flour and meal, per sack	*0*	*4*
Ditto, per barrel	*0*	*3*
Fruit, per bushel or sieve	*0*	*4*
Furniture (household), per 5 cubic feet	*0*	*4*
Glass, per large crate	*1*	*6*
Ditto, per small ditto or case	*1*	*0*
Ditto, per box	*0*	*6*
Grains and seeds, per quarter	*0*	*6*
Groceries (not enumerated)	*0*	*6*
Guano, per ton	*1*	*6*
Gunpowder, per barrel or keg	*0*	*6*
Hams, bacon, or tongues, per cwt.	*0*	*4*
Hardware, per ton	*2*	*6*
Hares and rabbits, per dozen	*0*	*4*
Hay, per ton	*1*	*6*
Ditto, per truss	*0*	*2*
Hemp, per ton	*2*	*0*
Herrings (fresh), per 1,000	*0*	*3*
Ditto (cured), per barrel	*0*	*3*
Hides:—		
Ox, cow, or horses (wet or dry), each	*0*	*2*
Iron:—		
Bar, bolt, rod, and shots, per ton	*1*	*6*
Pig and old, per ton	*1*	*0*
Manufactured, per ton	*2*	*6*
Pots, each	*0*	*1*
Kelp, per ton	*2*	*0*
Lead, per ton	*2*	*6*
Leather (tanned and dressed), per cwt.	*0*	*3*
Lime, per 28 bushels	*1*	*4*
Limestone, per ton	*1*	*0*
Machinery, per ton	*2*	*6*
Manure (not enumerated), per ton	*1*	*0*
Masts and spars, 10 inches in diameter and upwards, each	*4*	*6*
Ditto, under 10 inches	*3*	*0*
Meat (fresh), per cwt.	*0*	*6*
Milk, per gallon	*0*	*0½*
Musical Instruments, per cube foot	*0*	*1*
Nets, per 5 cubic feet	*0*	*4*
Oakum, per cwt.	*0*	*2*
Oils, per tun	*2*	*0*
Oilcake, per ton	*2*	*0*
Oranges and Lemons, per box	*0*	*6*
Ores, per ton	*1*	*0*
Oysters, per bushel	*0*	*3*
Paint, per cwt.	*0*	*4*
Pitch and Tar, per barrel	*0*	*6*

	s.	d.
Potatoes, per cwt.	0	2
Poultry and Game, per dozen	0	4
Rags and Old Rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:—Calf, Goat, Sheep, Lamb, or Dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, Soap, and Candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and Zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and Varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:—		
Fir, Pine, and other description not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and Lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter, and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe Staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	s.	d.
Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

III.—TOLLS FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS ON OR IN CONNEXION WITH PIER AND LANDING PLACE.

1st., Cranes.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
,, 2 tons ,, 3 tons	0	8
,, 3 tons ,, 4 tons	0	10
,, 4 tons ,, 5 tons	1	0
,, 5 tons ,, 6 tons	1	2
,, 6 tons ,, 7 tons	1	4
,, 7 tons ,, 8 tons	1	6
,, 8 tons ,, 9 tons	1	10
,, 9 tons ,, 10 tons	2	4
,, 10 tons	3	6

2d., Weighing Machines.

	s.	d.
For goods weighed, for each ton or part of a ton	0	2

3d., Sheds.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

	s.	d.
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day, or part of a day, per package	0	2

IV.—TOLLS FOR SUPPLYING WATER ON PIER AND LANDING PLACE.

	s.	d.
Water, per 1,000 gallons	10	0

V.—TOLLS ON PASSENGERS AND PROMENADERS USING THE PIER AND LANDING PLACE.

	s.	d.
For every passenger landing on the pier or landing place from or embarking from it on board of any vessel or boat, for each time	0	6
For every person using the pier or landing place for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time	0	4
For every bath or sedan chair taken on the pier or landing place, for each time	0	6
For every perambulator	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Felixstowe, or Walton, or Landguard, and using the pier or landing place for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum of	20	0

VI.—TOLLS ON PASSENGERS' LUGGAGE.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package, being passengers' luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4

And so in proportion for any part of a cwt.

Harwich Harbour.

A

BILL

To amend the Acts relating to the Preservation and Improvement of Harwich Harbour.

(Prepared and brought in by
Mr. Milner Gibson and Mr. Hutt.)

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1865.

[Bill 137.]

Under 2 oz.

Harwich Harbour Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble recites 26 & 27 Vict. c. 71. and 27 & 28 Vict. c. 102.

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2. Construction of Act.
3. Interpretation.

Election for Mistley and Manningtree.

4. Election to be according to this Act.
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6. Time for annual Election.
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22. Power to sell Ballast.
23. Power to construct Ballast Wharves, and take Tolls.
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30. Master and Owner of Vessel liable for such Offence.
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39. Tolls, &c. to be applied as under Act of 1863.
40. Power to give Tolls, &c. as Security.
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Miscellaneous.

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44. Saving for Powers of Board.
45. Costs of Act.
Schedule.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Acts relating to the Preservation and Improvement of Harwich Harbour.

WHEREAS it is expedient to amend in various Particulars The Harwich Harbour Acts, 1863 and 1864, and, among other things, to regulate the Election of a Conservator by Owners and Occupiers of Lands in the Parishes of Mistley and Manningtree, and to extend the Powers of the Conservancy Board with respect to the Purchase of and the dealing with Lands, and the Execution of Works, and to make better Provision for securing free Access to the Harbour, and for regulating the Sale and taking of Ballast, and to prohibit Acts injurious to the Navigation of the Harbour, and to make better Provision for the Regulation of Moorings, Ferries, and other Matters, and to authorize the taking by them of Tolls, Fees, Rates, and Dues in certain Cases:

Preamble.
26 & 27 Vict. c. 71.
27 & 28 Vict. c. 102.

And whereas for the Purposes of the Application for this Act there have been deposited with the Clerk of the Peace for the County of Suffolk and with the Clerk of the Peace for the County of Essex Plans and Sections of the proposed new Works, and Plans showing Lands and Houses intended to be taken for the Purposes of this Act, together with a Book of Reference to those Plans (which Plans, Sections, and Book of Reference respectively are in this Act referred to as the deposited Plans, Sections, and Book of Reference):

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Titles.

1. This Act may be cited as The Harwich Harbour Act, 1865; and this Act and The Harwich Harbour Acts, 1863 and 1864, may be cited together as The Harwich Harbour Acts, and are comprised in that Expression when hereafter used in this Act.

Construction of Act.

2. This Act shall be read and have Effect as One Act with The Harwich Harbour Acts, 1863 and 1864, and the Purposes of this Act shall be deemed to be comprised in the Purposes of those Acts; and all Enactments incorporated with The Harwich Harbour Act, 1863, shall be deemed incorporated with this Act; and Terms used in this Act have the same Meanings as in The Harwich Harbour Act, 1863.

Interpretation.

3. In this Act—

The Terms "High-water Mark" and "Low-water Mark" mean those Marks respectively at ordinary Spring Tides:

The Term "the Harbour" means Harwich Harbour.

Election for Mistley and Manningtree.

Election to be according to this Act.

4. Notwithstanding anything in The Harwich Harbour Act, 1863, or in any Act therewith incorporated, the Provisions of this Act shall have Effect with respect to the Conservator elected by the Owners and Occupiers of Lands in the Parishes of Mistley and Manningtree (hereafter in this Act referred to as the Elective Conservator); and the following Sections of The Commissioners Clauses Act, 1847, (incorporated with The Harwich Harbour Act, 1863,) shall not have Effect with respect to that Conservator, namely, Sections Seventeen, Twenty to Twenty-three, and Twenty-five to Thirty-three (all inclusive).

Time for Elective Conservator going out.

5. The Elective Conservator in Office at the passing of this Act shall remain in Office until the First Thursday in August One thousand eight hundred and sixty-six, and shall then go out of Office; and every Elective Conservator elected after the passing of this Act shall go out of Office on the First Thursday in August in the Year following his Election; and in every Instance the Place of the outgoing Elective Conservator shall be supplied by the Election of another Conservator.

Time for annual Election.

6. For the Purposes of every such Election a Meeting of the Persons entitled to vote thereat shall be held on the First Thursday in August in each Year, at such Place, within One of the Parishes of Mistley and Manningtree, as the Conservancy Board from Time to Time direct; of which Meeting, and of the Time and Place thereof, and of the Time for the taking of the Poll thereat (in case a Poll is demanded), public Notice shall be given by the Clerk of the Conservancy Board, by Placard affixed on the principal Doors of the Parish Churches of the Parishes of Mistley and Manningtree, or other public Places in those Parishes, Seven clear Days at least before the Day of Election; and at that Meeting the Election of a Conservator shall be made.

Returning Officer.

7. The Chairman of the Conservancy Board, or in his Absence such other of the Conservators as the Chairman, by Writing under his Hand, appoints, or the Clerk or another Officer of the Conservancy Board so appointed, shall be the Returning Officer for such Election.

Mode of Election.

8. The Election shall be made by the Majority of Votes of the Electors present at the Place of Election at or within the Time appointed for the Election, or (in case a Poll is demanded) at or within the Time appointed for the taking of the Poll.

Appointment in case of Failure to elect.

9. In case for any Reason on any Occasion the Electors fail to elect a Conservator in conformity with this Act, the Conservancy Board shall, within One Month after such Failure, appoint a Person to fill the Place of Elective Conservator. Every such Appointment shall be made at a Meeting, Notice whereof shall be given in manner required for Special Meetings. Every Person so appointed shall for the Purposes of the Harwich Harbour Acts in all respects be as if he had been elected by the Electors instead of being so appointed.

Error, &c. in Election not to vitiate Acts done.

10. Any Act of the Conservancy Board shall not be invalidated or be illegal by reason of any Failure or Omission on any Occasion to elect or appoint any Conservator, or by reason of any other

Irregularity, Error, Failure, or Omission in or about any Election or Appointment, or in or about any Matter preliminary or incidental thereto.

Meetings, &c.

Time and Place of Meeting of Board.

11. The Conservancy Board may hold their Meetings at such Times and Places as they from Time to Time think fit.

Allowance of travelling Expenses.

12. The Conservancy Board may allow to the Conservators respectively their reasonable travelling Expenses incurred in attending Meetings of the Board or otherwise in the Execution of their Duties.

Lands.

Power to take specified Lands.

13. The Conservancy Board may enter on, purchase, and take all or any of the Lands described in the deposited Plans and Book of Reference.

Power to dispose of Lands.

14. Notwithstanding anything in The Harwich Harbour Act, 1863, or in this Act, or in any Act incorporated therewith respectively, the Conservancy Board may at any Time and from Time to Time sell, demise, or otherwise dispose of any Lands vested in them, for such Estates, Terms, or Interests, for or at such Considerations or Rents, and subject to such Covenants, Conditions, and Stipulations, as they think fit.

Works at Landguard Point.

Power to remove Parts of Landguard Point.

15. The Conservancy Board may, by dredging, cutting, and otherwise, remove such Parts of Landguard Point, as well above as below High-water Mark, as they think it necessary to remove for making the Harbour more readily accessible.

Power to construct Pier on Landguard Beach.

16. The Conservancy Board may construct and maintain a Pier and Landing Place, with all necessary Approaches, Works, and Conveniences, on the Landguard Inner Beach, at or near a Point Twelve hundred Feet or thereabouts, measured along the Shore in a Northwardly Direction from the North-west Angle of the Fence inclosing the Lighthouse and Premises on Landguard Point in the Possession of the Trinity House, and thence extending in a Westwardly Direction into the Harbour for a Distance of about Two hundred Feet.

Tolls on Pier, &c.

17. The Conservancy Board may demand and take in respect of the Use of the Pier and Landing Place such Tolls as they from

Time to Time think fit, not exceeding those specified in the Schedule to this Act; provided that such Tolls or any of them may be from Time to Time reduced by the Board of Trade, should such Board see fit.

Clause A.
Appointment of Meters and Weighers.

18. The Conservancy Board shall have the Appointment of Meters and Weighers within the Limits of the Pier and Landing Place, and the Works and Lands vested in them adjoining or near to the Pier and Landing Place.

Clause B.
Contract with Persons for Use of Pier.

19. The Conservancy Board may grant to Passengers and others Pass Tickets for the Use of the Pier and Landing Place on such Terms, and for such Period not exceeding One Year, as may be agreed on, but so that no Preference be given to any Person. Such a Ticket shall not be transferable, and shall not be used by any Person except the Person for whom it is granted, or by that Person after the Period limited for its Use. If any Person acts in any way in contravention of this Provision, or uses or attempts to use any false or counterfeit Ticket, he shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings.

Access to Harbour.

Clause C.
Power to follow Vessels into the River Orwell to collect Tolls.

20. So far as may be necessary for the collecting of the Tolls and Dues leviable under the Harwich Harbour Acts, it shall be lawful for the duly authorized Officer of the Conservators to follow any Vessel or Craft beyond the Harbour up the River Orwell.

Power to prohibit Vessels anchoring off Entrance.

21. For better preventing Interference with Ingress and Egress into and from the Harbour, the Power of the Conservancy Board to make Byelaws shall extend to authorize the making by them from Time to Time of Byelaws for the following Purpose; namely, for prohibiting or restricting the anchoring of Vessels within a Space included between the imaginary Line marking the Seaward Limit of the Harbour and another imaginary Line drawn from the Harbour Light on Landguard Point to Andrew's Buoy and thence across to Inner Ridge Buoy and thence to the Low Lighthouse on the Dovercourt Shore.

Ballast, Embankments, Moorings, &c.

Power to sell Ballast.

22. The Conservancy Board may from Time to Time sell, to be used as Ballast, or for other Purposes, any Gravel or other Substance dredged or raised by them from the Harbour, under the Powers of the Harwich Harbour Acts.

Power to construct Ballast Wharves, and take Tolls.

23. The Conservancy Board may from Time to Time construct and may maintain within the Harbour, on any Lands vested in them, such Ballast Wharves as they think fit, and may demand and take in respect of the Use thereof such Tolls as they from Time to Time think fit.

Power to license dredging, &c.

24. Subject to the Provisions of this Act, the Conservancy Board may from Time to Time grant Licences to the Owners of Barges and Vessels and others to remove any Soil, Banks, Accumulations, and Obstructions within the Harbour below Low-water Mark, and to dredge and otherwise improve the Bed of the Harbour below Low-water Mark.

Power to make Works.

25. The Conservancy Board, with the Approval in each Instance of the Board of Trade, may, on any Lands vested in them, make and maintain such Works as they think proper for the Preservation or Improvement of the Harbour.

Prohibition of Erection of Works on Shore, &c.

26. It shall not be lawful for any Person (except under Statutory Authority), at any Place within the Limits of the Jurisdiction of the Conservancy Board, to erect, construct, or place any Pier, Wharf, Wall, Groin, or other Erection on the Shore of the Sea or Harbour below High-water Mark, without the Licence of the Conservancy Board, which Licence they may give, if they think fit, but without taking any Fee for the granting of such Licence; but if in any Case any Applicant for such a Licence thinks himself aggrieved by the Refusal thereof, he may appeal to the Board of Trade, and the Decision of the Board of Trade shall be binding on and shall be carried into effect by the Conservancy Board; and any Applicant for such a Licence shall be entitled to receive the same, unless the proposed Pier, Wharf, Wall, Groin, or other Erection will, in the Opinion of the Conservancy Board, or of the Board of Trade on Appeal, be injurious to Navigation.

Penalty for throwing Gravel, &c. into Harbour.

27. If any Person, without lawful Excuse (the Proof whereof shall lie on him), unloads, throws, or puts or causes or suffers to fall any Gravel or other Substance which has been used as Ballast, or any Stones, Earth, Mud, Ashes, Refuse, or Rubbish, into the Harbour or on the Shore thereof below High-water Mark, or knowingly puts such Gravel or other Thing as aforesaid in any Place where the same is liable to be carried by Floods or extraordinary Tides into the Harbour, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

28. Any Constable, or any Person called by a Constable to his Assistance, may take into Custody, without Warrant, any Person found committing any such Offence as last aforesaid.

Power for Constable to arrest, &c.

CLAUSE D. Conservancy Board alone to prosecute.

29. It shall not be competent for any Person, other than the Conservancy Board, their Officers, Attorneys, Solicitors, or Agents, to institute or carry on under this Act any Prosecution for any such Offence as last aforesaid.

Master and Owner of Vessel liable for such Offence.

30. Where such Offence is committed from or out of a Vessel, the Master and the Owner of the Vessel shall be liable to be proceeded against and to be punished as aforesaid, so that the Master and the Owner of the Vessel be not both punished in respect of the same Offence.

Right to Moorings.

31. The Conservancy Board shall have the exclusive Right to lay down and maintain Moorings within the Harbour.

Licences for mooring of Coal Hulks.

32. Subject to the Provisions of this Act, the Conservancy Board may grant, for such Time and on such Terms as they think fit, Licences for the mooring of Hulks, for the Reception and Delivery of Coal, in such Parts of the Harbour as they from Time to Time think fit, and may demand and take in respect of such Licences Fees according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint.

Power to license Ferries.

33. The Conservancy Board may from Time to Time authorize the Establishment of Ferries within the Harbour, and may grant Licences for Ferry Boats to be used thereat, and may demand and take for such Licences Fees according to such Scale as they from Time to Time, with the Approval of the Board of Trade, appoint; and if the Master or Owner of any Vessel uses the same, or allows it to be used, as a Ferry Boat within the Harbour, without a Licence from the Conservancy Board, or in contravention of the Terms of any Licence held by him, he shall be liable to a Penalty not exceeding Forty Shillings for every Twenty-four Hours, reckoned from Midnight to Midnight, during any Part whereof such Vessel is so used; and in case of Refusal of such Licence by such Board to any Person applying for the same, such Person may appeal to the Board of Trade, which may direct that such Licence may be granted, if it so think fit; but nothing in this Enactment shall make it obligatory on any Person to obtain a Licence in respect of any Ferry lawfully existing at the passing of this Act, nor shall anything in the Harwich Harbour Acts be deemed or construed to alter, vary, or diminish any existing Rights of Ferry belonging to or vested in any Person or Corporation at or previous to the passing of this Act.

Power to keep Steam Tugs.

34. The Conservancy Board may provide and maintain Steam Tugs for towing Vessels into and within and out of the Harbour, and may demand and take for the Use thereof Payments according to such Scale as they, with the Approval of the Board of Trade, from Time to Time appoint.

Procedure, &c.

Jurisdiction of Justices.

35. For the Purposes of the Harwich Harbour Acts, and of any Byelaw of the Conservancy Board, made or to be made, the Jurisdiction of all Justices of the Peace for the Counties of Essex and Suffolk respectively, and for the Boroughs of Ipswich and Harwich, shall extend throughout the Limits of the Jurisdiction of the Conservancy Board.

Venue for Trial of Offences.

36. For the Purposes of Proceedings under the Harwich Harbour Acts, or under any Byelaw of the Conservancy Board made or to be made, every Offence shall be deemed to have been committed, and every Cause of Complaint under those Acts or any such Byelaw shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Offender or Person complained against happens to be.

Clause E. Application of Penalties.

37. Where under the Harwich Harbour Acts, or any Byelaw of the Conservancy Board, made or to be made, any pecuniary Penalty or Sum of Money forfeited is recovered by or on behalf of the Conservancy Board in a summary Manner, the same shall be paid to the Conservancy Board, and shall be applied as Money accruing to them under this Act from Tolls is applicable.

Penalty for assaulting Constable, &c.

38. If any Person assaults or resists, or aids or incites any Person to assault or resist, any Constable or other Officer or Person in the Execution of his Duty, or the lawful Exercise of any Authority under the Harwich Harbour Acts or under any Byelaw of the Conservancy Board, made or to be made, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Tolls, &c.

Tolls, &c. to be applied as under Act of 1863.

39. The Conservancy Board shall apply all Money accruing to them under this Act from Tolls, Rates, Fees, Dues, Property, or otherwise, in like Manner as Money received by them from R[illegible] under The Harwich Harbour Act, 1863, is applicable.

40. For

Power to give Tolls, &c. as Security.

40. For any Money to be borrowed by the Conservancy Board for the Purposes of the Harwich Harbour Acts, the Conservancy Board may give as Security, separately or otherwise, all or any Part of the Tolls, Rates, Fees, Dues, and Property leviable or acquired by them under this Act.

CLAUSE F.
Exemptions of Fishing Vessels in Distress.

41. Fishing Vessels belonging to Countries with which for the Time being Treaties exist exempting from Duties and Port Charges such Vessels when forced by Stress of Weather to seek Shelter in the Ports or on the Coasts of the United Kingdom shall, when forced by Stress of Weather to make use of the Harbour, and not breaking Bulk while making use thereof, be exempt from Tolls, Rates, Fees, and Dues leviable under the Harwich Harbour Acts or any of them.

CLAUSE G.
Appointment of Two Conservators instead of One.

42. It shall be lawful for the Municipal Corporation of Ipswich and for the Ipswich Dock Commissioners respectively to appoint Two Conservators, instead of One only, as provided by The Harwich Harbour Act, 1863, and such new Appointments shall be made as soon as may be after the passing of this Act, and Section Five of the Fourth Clause of The Harwich Harbour Act, 1863, shall be read and construed, so far as relates to the Municipal Corporation of Ipswich and the Ipswich Dock Commissioners, as though the Word "Conservators" instead of "Conservator" were used in that Section, and as though the Words "and of The Harwich Harbour Act, 1865," were inserted in that Section after the Words "in conformity with this Act."

Miscellaneous.

CLAUSE H.
Savings for Rights of Crown, its Lessees, &c.

43. The Conservancy Board shall not take, use, or interfere with any Lands belonging to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Crown, without the previous Consent of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, Her Heirs or Successors, which Consent those Commissioners respectively are hereby authorized to give; and, except as is provided in Section Eight of The Harwich Harbour Act, 1863, nothing in the Harwich Harbour Acts, or in any Act therewith respectively incorporated, shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority at the passing of those Acts respectively or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of the Crown, or in or by any Lessee or Licensee of the Crown; and nothing in the Harwich Harbour Acts shall authorize the Conservancy Board to execute or do, or to license the

Execution or doing of, any Work, Act, or Thing that will injuriously affect the present or future Enjoyment of any Right, Power, or Interest for the Time being vested in any Person under any Lease or Licence from the Crown existing at the passing of this Act, or under any Renewal thereof; and all the Rights, Powers, Estates, and Interests of any Person for the Time being taking any Interest under any such Lease or Licence, or under any Renewal thereof, shall in all respects be as if this Act had not been passed.

Saving for Powers of Board.

44. Except as in this Act expressly provided, nothing in this Act shall take away or abridge any Right, Power, Authority, Estate, or Interest vested in the Conservancy Board.

Costs of Act.

45. The Expenses of and preliminary and incidental to the preparing, obtaining, and passing of this Act shall be paid by the Conservancy Board.

SCHEDULE.

I.—Tolls for Vessels using the Pier and Landing Place.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats, entirely open, landing or taking on board goods, each	0	6

II.—Tolls for Goods shipped or unshipped at the Pier and Landing Place.

	s.	d.
Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle :—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	0	6
Carriages :—		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0

	s.	*d.*
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small ditto or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides :—		
Ox, cow, or horses (wet or dry), each	0	2
Iron :—		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical Instruments, per cube foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and Lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and Tar, per barrel	0	6

	s.	d.
Potatoes, per cwt.	0	2
Poultry and Game, per dozen	0	4
Rags and Old Rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:—Calf, Goat, Sheep, Lamb, or Dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, Soap, and Candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and Zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and Varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:—		
Fir, Pine, and other description not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and Lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter, and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe Staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	s.	d.
Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

III.—TOLLS FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS ON OR IN CONNEXION WITH PIER AND LANDING PLACE.

1*st.*, *Cranes.*

	s.	*d.*
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
,, 2 tons ,, 3 tons	0	8
,, 3 tons ,, 4 tons	0	10
,, 4 tons ,, 5 tons	1	0
,, 5 tons ,, 6 tons	1	2
,, 6 tons ,, 7 tons	1	4
,, 7 tons ,, 8 tons	1	6
,, 8 tons ,, 9 tons	1	10
,, 9 tons ,, 10 tons	2	4
,, 10 tons	3	6

2*d.*, *Weighing Machines.*

	s.	*d.*
For goods weighed, for each ton or part of a ton	0	2

3*d.*, *Sheds.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

	s.	*d.*
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day, or part of a day, per package	0	2

IV.—TOLLS FOR SUPPLYING WATER ON PIER AND LANDING PLACE.

	s.	*d.*
Water, per 1,000 gallons	10	0

V.—TOLLS ON PASSENGERS AND PROMENADERS USING THE PIER AND LANDING PLACE.

	s.	*d.*
For every passenger landing on the pier or landing place from or embarking from it on board of any vessel or boat, for each time	0	6
For every person using the pier or landing place for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time	0	4
For every bath or sedan chair taken on the pier or landing place, for each time	0	6
For every perambulator	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Felixstowe, or Walton, or Landguard, and using the pier or landing place for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum of	20	0

VI.—TOLLS ON PASSENGERS' LUGGAGE.

	s.	*d.*
For every trunk, portmanteau, box, parcel, or other package, being passengers' luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4

And so in proportion for any part of a cwt.

Harwich Harbour.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To amend the Acts relating to the Preservation and Improvement of Harwich Harbour.

(*Prepared and brought in by*
Mr. Milner Gibson and Mr. Hutt.)

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1865.

[Bill 214.]

Under 3 oz.

A

BILL

TO

Amend the Acts relating to the Scottish Herring Fisheries.

WHEREAS an Act was passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety-two, intituled "An Act to "amend the Law relative to the Scottish Herring Fisheries," and another Act was passed in the Twenty-fourth and Twenty-fifth Years of the said Reign, Chapter Seventy-two, intituled "An Act "to make further Provision for the Regulation of the British "White Herring Fishery in Scotland," and it is expedient that the recited Acts should be amended: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.

23 & 24 Vict. c. 92.

24 & 25 Vict. c. 72.

1. So much of the Fourth Section of the first-recited Act as provides that it shall not be lawful to take or fish for Herring or Herring Fry between Cape Wrath on the North and the Point of Ardnamurchan on the South at any Time between the First Day of January and the Twentieth Day of May inclusive in any Year shall be and is hereby repealed.

Repeal of Provision in 23 & 24 Vict. c. 92. as to Close Time between Cape Wrath and Point of Ardnamurchan.

Herring Fisheries (Scotland).

A

BILL

To amend the Acts relating to the Scottish Herring Fisheries.

(Prepared and brought in by
The Lord Advocate and Sir William Dunbar.)

Ordered, by The House of Commons, *to be Printed,*
2 *March* 1865.

[Bill 49.]

Under 1 *oz.*

A

BILL

TO

Authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of " The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Twentieth Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with. Inclosures in Schedule may be proceeded with.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression " The Annual Inclosure Act, 1865," or "The Acts for the Inclosure, Exchange, and Improvement of Land." Short Title.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Maerbach Hill - -	Hereford - -	23d May 1864.
Elmley Lovett - -	Worcester - -	14th April 1864.
Helmsley Common - -	York - - -	6th October 1864.
Asby Winderworth - -	Westmorland - -	23d June 1864.
Donhead St. Mary - -	Wilts - - -	29th September 1864.
Gamblesby Fell - -	Cumberland - -	23d June 1864.
Elmbridge - - -	Worcester - -	14th July 1864.
Reepham Moor - -	Lincoln - -	22d September 1864.
Epsom Common - -	Surrey - -	17th November 1864.
Epsom Common Fields -	Surrey - -	17th November 1864.
Broad Heath Common or Hanley Heath - -	Worcester - -	29th September 1864.
Trumfleet - -	York - - -	30th December 1864.
Llawrbante - -	Carmarthen - -	16th December 1864.
Abernant - - -	Carmarthen - -	16th December 1864.
Fulmer Common - -	Buckingham - -	3d January 1865.

Inclosure.

A

BILL

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

(*Prepared and brought in by*
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
23 *March* 1865.

[Bill 89.]

Under 1 *oz.*

A

BILL

TO

Authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Twentieth Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Inclosures in Schedule may be proceeded with.

2. In

Short Title. **2.** In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1865," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Llangeler, Pemboyr, and Kilrhedin - - -	Carmarthen - -	24th November 1864.
Bradwell - - -	Derby - -	12th January 1865.
East Knoyle - - -	Wilts - - -	9th February 1865.
Hartley Wintney - -	Southampton - -	16th February 1865.
Longsleddale - -	Westmorland - -	2d March 1865.
Longville Common - -	Salop - - -	2d March 1865.
Selston - - -	Nottingham - -	14th February 1865.
Brockcomb Common - -	Devon - - -	16th March 1865.
Blagrove Moor - -	Devon - - -	16th March 1865.
Chipping Wycombe - -	Buckingham - -	9th March 1865.
Chidden Down - -	Southampton - -	2d March 1865.
Anthill Common - -	Southampton - -	2d March 1865.
Brumby Commons - -	Lincoln - -	29th March 1865.
Brumby Moors - -	Lincoln - -	29th March 1865.
Nuthurst - - -	Sussex - - -	27th April 1865.
Stinchcombe - -	Gloucester - -	4th May 1865.
Addingham - - -	York - - -	28th April 1865.
Bootle and Waberthwaite -	Cumberland - -	8th May 1865.
Cefnllys - - -	Radnor - -	6th May 1865.
Gravenhunger Moss - -	Salop - - -	27th April 1865.
Roughton - - -	Norfolk - -	4th May 1865.
Bettws Gwerfil Goch -	Merioneth - -	11th May 1865.

Inclosure (No. 2).

A

BILL

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

(Prepared and brought in by
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1865.

[Bill 154.]

Under 1 *oz.*

A

BILL

Indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

WHEREAS divers Persons who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have qualified themselves according to an Act of the First Year of King George the First, Statute Two, Chapter Thirteen; or according to an Act of the Ninth Year of King George the Fourth, Chapter Seventeen; or according to an Act of the Tenth Year of King George the Fourth, Chapter Seven, so far only as the said Act relates to any Civil or Military Offices, or Places of Trust, or Places of Profit, or Corporate Offices; or according to the Acts of the Session of the First and Second Years of the Reign of Her present Majesty, Chapters Five and Fifteen, or One of such Acts; or according to the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Fifty-two; or according to an Act of the Session of the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter Forty-eight, have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to qualify themselves, within such

1 G. 1. st. 2. c. 13.
9 G. 4. c. 17.
10 G. 4. c. 7.
1 & 2 Vict. c. 5.
1 & 2 Vict. c. 15.
8 & 9 Vict. c. 52.
21 & 22 Vict. c. 48.

Time and in such Manner as in and by the said Acts respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities: For quieting the Minds of Her Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

1. Every Person who, at or before the passing of this Act, hath omitted to take or make and subscribe any Oath, Assurance, or Declaration, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts, or any of them, is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act, hath taken and subscribed the Oaths or Oath and Assurance, or made the Declarations or Declaration required by Law, or who, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-six*, or if Parliament be then sitting before the End of the then Session of Parliament, shall take and subscribe the Oaths or Oath, and Assurance, Declarations or Declaration respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Assurance, and Declarations ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission previous to the passing of this Act of taking or making and subscribing any Oaths or Oath, Assurance or Declaration, required by the said Acts or any of them, or any other Act or Acts; and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified himself, according to the abovementioned Acts and every of them; and all Elections of and Acts done or to be done by any such Person, or by Authority derived from him, are and shall be of the same Force and Validity as the same or any of them would have been if such Person had duly taken or made and subscribed such Oath, Assurance, and Declaration, according to the Directions of the said Acts and every or any of them; and the Qualification of such Person qualifying himself in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person had taken or made and subscribed such Oath or Oaths, Assurance and Declaration, within the Time and in the Manner appointed by the several Acts before mentioned.

2. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of England and Ireland, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the Directions of an Act passed in the Parliament of Ireland in the Second Year of Queen Anne, intituled "An Act to prevent the further Growth of Popery:" All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oaths, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively as are directed and appointed by the said last-recited Act, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-six*, or if Parliament be then sitting, before the End of the then Session of Parliament.

Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.

3. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Not to indemnify Persons against whom final Judgment has been given.

4. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in Great Britain and Ireland, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns which by several Acts are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mislaid:

Admissions to Corporations may be stamped after the Time allowed.

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in Great Britain or Ireland, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-six*, or if Parliament be then sitting, before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue, to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon ; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission ; and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

5. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been passed.

General Issue.

6. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

Indemnity.

A

BILL

To indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

(Prepared and brought in by
Mr. Peel and Mr. Chancellor of the Exchequer.)

Ordered, by the House of Commons, *to be Printed,*
21 *June* 1865.

[Bill 234.]

Under 1 *oz.*

A

BILL

TO

Enable the Secretary of State in Council of India to acquire additional Lands for improving the Site of the India Office and the Approaches thereto.

WHEREAS under the Provisions of the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, intituled " An Act to vest the Site of " the India Office in Her Majesty for the Service of the Govern- " ment of India," the Land described in the Schedule to that Act (subject as in the same Schedule is mentioned) became vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of India as a Site for the Offices of the Secretary of State in Council of India, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six: And whereas certain Houses, Buildings, and Lands in the Parish of St. Margaret, Westminster, in the County of Middlesex, particularly described and shown in the Plan herein-after mentioned, are required by the Secretary of State in Council of India as additional Site for the Offices of his Department and for the Approaches thereto, but such Houses, Buildings, and Lands cannot be acquired without the Authority of Parliament: And Preamble.

whereas a Plan describing the Situation of the said Houses, Buildings, and Land, herein-after referred to as the prescribed Lands, with a Book of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers thereof, has been deposited with the Clerk of the Peace for the County of Middlesex, at his Office at the Sessions House, Clerkenwell, and it is expedient that Powers should be given to the Secretary of State in Council of India to purchase the prescribed Lands and to appropriate the same for the Purposes aforesaid: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The India Office Site and Approaches Act, 1865."

Power of Secretary of State in Council to purchase Lands.

2. *The Secretary of State in Council of India for the Time being, herein-after referred to as "The Secretary of State in Council," may, out of any Monies derived from the Revenues of India, or borrowed and charged upon such Revenues, under the Authority of any Act of Parliament, purchase all or any of the prescribed Lands, and appropriate the same as additional Site for the Offices of the Department of the Secretary of State in Council, and for convenient Accesses and Approaches thereto, and carry the Purposes of this Act into execution.*

Lands purchased to vest in Her Majesty, &c.

3. All Lands purchased by the Secretary of State in Council in pursuance of this Act shall be conveyed to the Secretary of State in Council in trust for Her Majesty, Her Heirs and Successors, and shall thereupon vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of India, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six.

Lands to continue subject to Land Tax and Rates.

4. All Lands purchased by the Secretary of State in Council in pursuance of this Act which were at the Time of such Purchase subject to Land Tax or to Poor or other Rates shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher Value than that at which they were assessed at the Time of the Purchase thereof.

Power to enter on Lands.

5. The Secretary of State in Council, his Surveyors, Officers, and Workmen, may at all reasonable Times in the Day Time, upon giving *Twenty-four Hours* previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

Incorporation of Lands Clauses Act.

6. " The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,)

(1.) There shall not be incorporated with this Act the Sections and Provisions of " The Lands Clauses Consolidation Act, 1845," herein-after mentioned; (that is to say,) Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed or the Provisions relating to Access to the Special Act.

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be " the Special Act," and the said incorporated Acts shall be read as if the Expression " the Promoters of the Undertaking " were in the Singular Number, and the Secretary of State in Council shall be deemed and taken to be the Promoter of the Undertaking.

(3.) The Term " Sheriff " used in the Provisions of " The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster or his Deputy.

(4.) The Bond required by Section Eighty-five of " The Lands Clauses Consolidation Act, 1845," shall be under the Hand and Seal of the Secretary of State in Council, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

7. Upon the Purchase by the Secretary of State in Council of the prescribed Lands or any Part thereof, save as herein-after provided in Section Eleven of this Act, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Lands or Part thereof, shall be extinguished, and all the Soil of such Ways and the Property in the Pipes, Sewers, or Drains shall vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of India, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Secretary of State in Council such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by "The Lands Clauses Consolidation Act, 1845."

Compensation in case of Tenants at will, &c.

8. All Claims for Compensation made upon the Secretary of State in Council under the Provisions of this Act, or any Act incorporated herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit of Time for compulsory Purchase.

9. The Period within which the Powers for the compulsory Purchase of Lands under this Act may be exercised shall be *Five Years* from the passing of this Act.

Powers of Secretary of State in Council to execute Works.

10. The Secretary of State in Council may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may in his Opinion be necessary or expedient in order to carry the Purposes of this Act into execution.

Saving Rights of the Metropolitan Board of Works.

11. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Exemption from Building Act.

12. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Authentication of Notices.

13. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Secretary of State in Council may be given, issued, or signed by the Principal Secretary of State for India for the Time being, or One of his Under Secretaries of State, or the Solicitor for the Time being of the Secretary of State in Council, and need not be under Seal, and may be in Writing or in Print, or partly in Writing and partly in Print.

Orders concerning Money paid into Court

14. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Acountant

General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court upon Application to him while sitting at Chambers, upon Summons, in like manner as in other Cases in which Proceedings may be so had; subject, nevertheless, to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

may be made at Chambers.

15. If any Person wilfully obstruct any Person acting under the Authority of the Secretary of State in Council in the lawful Exercise of the Powers vested in the Secretary of State in Council under this Act, he shall forfeit a Sum not exceeding *Five Pounds* for every such Offence, to be recovered in a summary Manner.

Penalty for obstructing the Secretary of State in Council.

16. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Secretary of State in Council, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of *One Shilling*, have Liberty to inspect the same.

Plan to be deposited in India Office and be open for Inspection.

India Office (Site and Approaches).

A

B I L L

To enable the Secretary of State in Council of India to acquire Additional Lands for Improving the Site of the India Office and the Approaches thereto.

(Prepared and brought in by
Mr. Cowper and Sir Charles Wood).

Ordered, by The House of Commons, *to be Printed,*
7 *March* 1865.

[Bill 56.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Enable the Secretary of State in Council of India to acquire additional Lands for improving the Site of the India Office and the Approaches thereto.

WHEREAS under the Provisions of the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, intituled " An Act to vest the Site of " the India Office in Her Majesty for the Service of the Govern- " ment of India," the Land described in the Schedule to that Act (subject as in the same Schedule is mentioned) became vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of India as a Site for the Offices of the Secretary of State in Council of India, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six: And whereas certain Houses, Buildings, and Lands in the Parish of St. Margaret, Westminster, in the County of Middlesex, particularly described and shown in the Plan herein-after mentioned, are required by the Secretary of State in Council of India as additional Site for the Offices of his Department and for the Approaches thereto, but such Houses, Buildings, and Lands cannot be acquired without the Authority of Parliament: And Preamble.

whereas a Plan describing the Situation of the said Houses, Buildings, and Land, herein-after referred to as the prescribed Lands, with a Book of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers thereof, has been deposited with the Clerk of the Peace for the County of Middlesex, at his Office at the Sessions House, Clerkenwell, and it is expedient that Powers should be given to the Secretary of State in Council of India to purchase the prescribed Lands and to appropriate the same for the Purposes aforesaid: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The India Office Site and Approaches Act, 1865."

Power of Secretary of State in Council to purchase Lands.

2. *The Secretary of State in Council of India for the Time being, herein-after referred to as "The Secretary of State in Council," may, out of any Monies derived from the Revenues of India, or borrowed and charged upon such Revenues, under the Authority of any Act of Parliament, purchase all or any of the prescribed Lands, and appropriate the same as additional Site for the Offices of the Department of the Secretary of State in Council, and for convenient Accesses and Approaches thereto, and carry the Purposes of this Act into execution.*

Lands purchased to vest in Her Majesty, &c.

3. All Lands purchased by the Secretary of State in Council in pursuance of this Act shall be conveyed to the Secretary of State in Council in trust for Her Majesty, Her Heirs and Successors, and shall thereupon vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of India, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six.

Lands to continue subject to Land Tax and Rates.

4. All Lands purchased by the Secretary of State in Council in pursuance of this Act, and hereafter used and occupied exclusively as Offices and for the Purposes of this Act, which were at the Time of such Purchase subject to Land Tax or to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher Value than that at which they were assessed at the Time of the Purchase thereof, so long as they shall be so used and occupied as aforesaid.

Power to enter on Lands.

5. The Secretary of State in Council, his Surveyors, Officers, and Workmen, may at all reasonable Times in the Day Time, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

Incorporation of Lands Clauses Act.

6. "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,)

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; (that is to say,) Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed or the Provisions relating to Access to the Special Act.

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be "the Special Act," and the said incorporated Acts shall be read as if the Expression "the Promoters of the Undertaking" were in the Singular Number, and the Secretary of State in Council shall be deemed and taken to be the Promoter of the Undertaking.

(3.) The Term "Sheriff" used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster or his Deputy.

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Hand and Seal of the Secretary of State in Council, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

7. Upon the Purchase by the Secretary of State in Council of the prescribed Lands or any Part thereof, save as herein-after provided in Section Eleven of this Act, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Lands or Part thereof, shall be extinguished, and all the Soil of such Ways and the Property in the Pipes, Sewers, or Drains shall vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of India, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Secretary of State in Council such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by "The Lands Clauses Consolidation Act, 1845."

Compensation in case of Tenants at will, &c.

8. All Claims for Compensation made upon the Secretary of State in Council under the Provisions of this Act, or any Act incorporated herewith, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit of Time for compulsory Purchase.

9. The Period within which the Powers for the compulsory Purchase of Lands under this Act may be exercised shall be Five Years from the passing of this Act.

Powers of Secretary of State in Council to execute Works.

10. The Secretary of State in Council may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may in his Opinion be necessary or expedient in order to carry the Purposes of this Act into execution.

Saving Rights of the Metropolitan Board of Works.

11. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Exemption from Building Act.

12. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Authentication of Notices.

13. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Secretary of State in Council may be given, issued, or signed by the Principal Secretary of State for India for the Time being, or One of his Under Secretaries of State, or the Solicitor for the Time being of the Secretary of State in Council, and need not be under Seal, and may be in Writing or in Print, or partly in Writing and partly in Print.

Orders concerning Money paid into Court

14. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Acountant

General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, may be made by any Judge of the said Court upon Application to him while sitting at Chambers, upon Summons, in like manner as in other Cases in which Proceedings may be so had; subject, nevertheless, to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

may be made at Chambers.

15. If any Person wilfully obstruct any Person acting under the Authority of the Secretary of State in Council in the lawful Exercise of the Powers vested in the Secretary of State in Council under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Penalty for obstructing the Secretary of State in Council.

16. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Secretary of State in Council, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Plan to be deposited in India Office and be open for Inspection.

Approaches).

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To enable the Secretary of State in Council of India to acquire Additional Lands for Improving the Site of the India Office and the Approaches thereto.

(*Prepared and brought in by*
Mr. Cowper and Sir Charles Wood.)

Ordered, by The House of Commons, *to be Printed*,
3 *April* 1865.

[Bill 100.]

Under 1 *oz.*

A

B I L L

FOR

The Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.

WHEREAS Exhibitions of Objects of Art and Industry manufactured or contributed wholly or in part by Members of the Industrious Classes of Her Majesty's Subjects have lately been held, and may be from Time to Time hereafter held, in divers Parts of the United Kingdom; and it is expedient to encourage such Exhibitions by granting to Persons desirous of exhibiting at the same new Inventions or new Designs such Protection as is herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited as the "Industrial Exhibitions Act, 1865." Short Title.

2. It shall be lawful for the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, upon the Application of any Persons desirous of holding any such Exhibition Board of Trade may certify Industrial Exhibitions entitled to the Benefit of the Act.

Exhibition as aforesaid in any Part of the United Kingdom, to certify, if they shall think fit, that the Exhibition so proposed to be held is in their Judgment calculated to promote British Art and Industry, and to prove beneficial to the Industrious Classes of Her Majesty's Subjects, either generally or in or near the Place where such Exhibition is proposed to be held; and every such Certificate shall mention the Place at which and the Time during which such Exhibition is proposed to be held; and the Time mentioned in any such Certificate may afterwards, if the Lords of the said Committee shall so think fit, be enlarged and extended by a further Certificate, but so that the whole Time allowed and certified for the holding of the same Exhibition shall in no Case exceed the total Period of *Six Months;* and every such Exhibition so certified, if and so long as the same shall be held at the Place and within the Time mentioned in any such Certificate, shall be deemed to be an Industrial Exhibition entitled to the Benefit of this Act.

Exhibition of new Inventions not to prejudice Patent Rights.

3. The Exhibition of any new Invention at any Industrial Exhibition entitled to the Benefit of this Act shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Invention, nor shall the User of such Invention for the Purposes of such Exhibition, and within the Place where the same may be held, prejudice the Right of any Person to register provisionally such Invention, or invalidate any Letters Patent which may be granted for such Invention.

Exhibition of Designs not to prejudice Registration.

4. The Exhibition at any Industrial Exhibition entitled to the Benefit of this Act of any new Design capable of being registered provisionally under the "Designs Act, 1850," or of any Article to which such Design is applied, shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Design, prejudice the Right of any Person to register, provisionally or otherwise, such Design, or invalidate any Provisional or other Registration which may be granted for such Design.

Industrial Exhibitions.

A

B I L L

For the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.

(Prepared and brought in by
Mr. Dodson, Mr. Milner Gibson, and
Mr. Attorney General.)

Ordered, by The House of Commons, *to be Printed,*
21 *February* 1865.

[Bill 36.]

Under 1 *oz.*

A

BILL

Amend the Laws relating to the Inland Revenue.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scale of Stamp Duties on Conveyances, in lieu of former Scale.

1. For and in lieu of the Scale of Stamp Duties chargeable under the Title "Conveyance" in the Schedule of the Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, the following Scale of Stamp Duties shall be chargeable; (that is to say,)

	£	s.	d.
Where the Purchase or Consideration Money expressed in or upon the principal or only Deed, Instrument, or Writing of Conveyance shall not exceed £5 - -	*0*	*0*	*6*
And where the same shall exceed £5 and not exceed £10	*0*	*1*	*0*
„ „ 10 „ 15	*0*	*1*	*6*
„ „ 15 „ 20	*0*	*2*	*0*
„ „ 20 „ 25	*0*	*2*	*6*
„ „ 25 „ 50	*0*	*5*	*0*
„ „ 50 „ 75	*0*	*7*	*6*
„ „ 75 „ 100	*0*	*10*	*0*
„ „ 100 „ 125	*0*	*12*	*6*
„ „ 125 „ 150	*0*	*15*	*0*
„ „ 150 „ 175	*0*	*17*	*6*

	£		£	£	s.	d.
And where the same shall exceed	175	and not exceed	200	*1*	*0*	*0*
„ „	200	„	225	*1*	*2*	*6*
„ „	225	„	250	*1*	*5*	*0*
„ „	250	„	275	*1*	*7*	*6*
„ „	275	„	300	*1*	*10*	*0*
And where the Purchase or Consideration Money shall exceed £300, then for every £50, and also for any fractional Part of £50 - - - -				*0*	*5*	*0*

Scale of Stamp Duties on Appraisements in lieu of former Scale.

2. And for and in lieu of the Scale of Stamp Duties chargeable under the Title "Appraisement" in the Schedule to the Act passed in the Fifty-fifth Year of the Reign of King George the Third, Chapter One hundred and eighty-four, the following Scale of Stamp Duties shall be chargeable; (that is to say,)

					£	s.	d.
Where the Amount of the Appraisement or Valuation shall not exceed £5 - - - -				-	*0*	*0*	*3*
And where it shall exceed	£5	and not exceed	£10	-	*0*	*0*	*6*
„ „	£10	„	£20	-	*0*	*1*	*0*
„ „	20	„	30	-	*0*	*1*	*6*
„ „	30	„	40	-	*0*	*2*	*0*
„ „	40	„	50	-	*0*	*2*	*6*
„ „	50	„	100	-	*0*	*5*	*0*
„ „	100	„	200	-	*0*	*10*	*0*
„ „	200	„	500	-	*0*	*15*	*0*
„ „	500	-	-	-	*1*	*0*	*0*

Scale of Stamp Duties on Awards in lieu of former Duties.

3. And for and in lieu of the Scale of Stamp Duties chargeable under the Title "Award" in the Schedule to the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and eleven, the following Scale of Stamp Duties shall be chargeable, (that is to say,)

					£	s.	d.
For and upon every Award in England or Ireland, and Award or Decreet Arbitral in Scotland, where the Amount or Value of the Matter in dispute shall not exceed £5 - - - -				-	*0*	*0*	*3*
And where it shall exceed	£5	and not exceed	£10	-	*0*	*0*	*6*
„ „	10	„	20	-	*0*	*1*	*0*
„ „	20	„	30	-	*0*	*1*	*6*
„ „	30	„	40	-	*0*	*2*	*0*
„ „	40	„	50	-	*0*	*2*	*6*
„ „	50	„	100	-	*0*	*5*	*0*
„ „	100	„	200	-	*0*	*10*	*0*
„ „	200	„	500	-	*0*	*15*	*0*
„ „	500	„	750	-	*1*	*0*	*0*
„ „	750	„	1,000	-	*1*	*5*	*0*
And where it shall exceed £1,000, and also in all other Cases not above provided for - - -				-	*1*	*15*	*0*

4. And

Stamp Duty reduced on certain Licences granted by Ecclesiastical Authority.

4. And in lieu of the Stamp Duty of Two Pounds now chargeable by Law for or upon any Licence to be granted by any Archbishop, Bishop, Chancellor, or other Ordinary, or by any Ecclesiastical Court, in England or Ireland, or by any Presbytery or other Ecclesiastical Power in Scotland, for any of the following Purposes, (that is to say,)

1. To hold the Office of Lecturer, Reader, Chaplain, Church Clerk, Chapel Clerk, Parish Clerk, or Sexton;
2. For licensing a Building for the Performance of Divine Service within an Ecclesiastical District formed under the Provisions of the New Parishes Act;
3. For licensing any Chapel for the Solemnization of Marriages therein pursuant to the Provisions of the Act Sixth and Seventh William the Fourth, Chapter Eighty-five;
4. For licensing or authorizing any Matter which regards a consecrated Building or Ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom;

There shall be charged and paid for or upon any such Licence as aforesaid the Stamp Duty of *Ten Shillings:* Provided always, that nothing herein contained shall extend to charge with Duty any Licence expressly exempted from Stamp Duty by any Act of Parliament now in force.

Agreements for letting small Tenements chargeable with One Penny Stamp Duty.

5. Any Agreement or Memorandum for the letting of a Dwelling House or Tenement, or Part of a Dwelling House or Tenement, for any Period less than a Year, at a Rent payable weekly or monthly, and not exceeding the Rate of Three Shillings and Sixpence per Week, shall be chargeable with the Stamp Duty of *One Penny* only in lieu of any other Stamp Duty now chargeable on any such Agreement or Memorandum.

Duty on Certificates taken out by Conveyancers and Special Pleaders within the first Three Years of their Practice reduced.

6. And whereas by an Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Sixty-three, certain Stamp Duties specified in the Schedule to the same Act annexed are imposed upon a Certificate to be taken out yearly by every Person, being a Member of One of the Four Inns of Court in England, and by every Person in Ireland, who, in the Character of Conveyancer, Special Pleader, Draftsman in Equity, or otherwise, shall, for or in expectation of any Fee, Gain, or Reward, draw or prepare any Conveyance of or Deed or Instrument relating to any Estate or Property, Real or Personal, or any other Deed or Contract whatever, or any Pleadings or Proceedings in any Court of Law or Equity: Be it enacted, That any such Certificate to be taken out by any such Person as aforesaid within the Period of Three Years after he shall first begin to practise in manner aforesaid shall be charged with only *One Half* of the said Duties respectively.

Stamp Duty on Charterparties reduced.

Penalty for signing unstamped Charterparties.

Terms on which certain Charterparties may be stamped after being signed.

7. In lieu of the Stamp Duty of Five Shillings now chargeable by Law on any Charterparty, or any Document chargeable with Stamp Duty as a Charterparty, there shall be charged and paid thereon the Stamp Duty of *Sixpence;* and it shall not be lawful, under any Pretence whatever, for the Commissioners of Inland Revenue to stamp, after the same shall have been signed, any Charterparty or any such Document as aforesaid which shall be made on or by means of any printed Form, or on a Form which shall be partly printed; and if any Person shall make or sign any Charterparty or other such Document as aforesaid which shall be printed or partly printed, and shall not be duly stamped for denoting the Duty hereby charged thereon before the same shall be signed, he shall forfeit the Sum of *Fifty Pounds:* Provided always, that if any Charterparty or other such Document as aforesaid which shall be wholly in Writing shall be brought to be stamped within the respective Times herein-after mentioned after the same shall bear Date and shall have been first signed, the Commissioners shall stamp the same on the following Terms; (that is to say,) if within Fourteen Days, on Payment of the Duty and *Four Shillings and Sixpence;* and if after that Time, and within One Calendar Month after such Date and first signing, then on Payment of the Duty and the Sum of *Ten Pounds;* but after the Expiration of the last-mentioned Period it shall not be lawful to stamp such Charterparty or other Document as aforesaid on any Pretence whatever.

Reduction of Duty on certain Time Policies of Sea Insurance.

8. And whereas by an Act passed in the Seventh Year of Her Majesty's Reign, Chapter Twenty-one, certain Stamp Duties contained in the Schedule to the same Act were imposed on Policies of Sea Insurance in relation to Ships or Vessels, for or upon any Voyage, and also for any certain Term or Period of Time: Be it enacted, That there shall be charged and paid, for and in respect of any such Insurance made for a certain Term or Period of Time upon or in relation to any Ship or Vessel whilst lying or being in any Dock, Harbour, or River only, the following reduced Rates of Duty, in lieu of the Duties chargeable thereon under the said last-mentioned Act, for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist; (that is to say,)

	£	*s.*	*d.*
Where the Insurance shall be made for any Term or Period not exceeding One Calendar Month - - - -	*0*	*0*	*6*

Exceeding

	£	s.	d.
Exceeding One Month and not exceeding Three Months - - - - -	*0*	*1*	*0*
Exceeding Three Months and not exceeding Six Months - - - - -	*0*	*2*	*0*
Exceeding Six Months - - -	*0*	*4*	*0*

Insurances on a Voyage and also for Time, how chargeable.

And any Sea Insurance made for or upon a Voyage and also for any certain Term or Period of Time, or to extend to or cover any certain Term or Period of Time beyond *Twenty-four* Hours after the Ship shall have arrived at her Destination and been there moored at Anchor, is hereby declared to be an Insurance for a certain Term or Period of Time as well as an Insurance made upon a Voyage, and the Policy to be chargeable with Duty accordingly.

Limitation of Time for making Application for Allowance of Stamp Duty on Policies of Re-assurance repealed.

9. And whereas by an Act passed in the last Session of Parliament, Chapter Fifty-six, Section One, the Time for making Application to the Commissioners of Inland Revenue for the Allowance for the Stamp Duty impressed on a Policy of Re-assurance is limited to a Period of Three Calendar Months next after the Termination of the Risk: Be it enacted, That so much of the said Section as limits the Time for making such Application as aforesaid shall be and the same is hereby repealed.

55 G. 3. c. 184. "Policies."

23 & 24 Vict. c. 111.

Stamp Duties granted on certain Policies of Assurance in lieu of former Duties thereon.

10. And whereas by the said Act passed in the Fifty-fifth Year of the Reign of King George the Third, certain Stamp Duties contained in the Schedule to the same Act were imposed, under the Head or Title of "Policy," on various Descriptions of Insurance commonly known by the several Names of Life Insurance, Fire Insurance, and Sea Insurance respectively, specifically described and charged with Duty as in the said Schedule is mentioned; and lastly certain Duties were imposed upon any Policy of Assurance whereby any other lawful Insurance whatsoever than as aforesaid should be made upon any Property or Interest whatever from Loss or Damage of any Kind: And whereas by the said Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and eleven, certain other Stamp Duties, described under the Head or Title of "Policy" in the Schedule to the last-mentioned Act, were also granted and imposed: Be it enacted, That in lieu of the Duties so granted and imposed by the said Two last-recited Acts respectively as last aforesaid, so far as they relate to any Insurance on which Duties are imposed by this Act, there shall be charged and paid for and upon any Policy of Assurance whereby any lawful Insurance not chargeable with Stamp Duty as Life Insurance, Fire Insurance, or Sea Insurance shall be made upon any Property or Interest whatever from Loss or Damage of any Kind, or whereby any Sum of Money shall be assured or agreed to be paid only upon the Death of any Person from Accident or Violence, or otherwise than from a natural Cause, or as Compensation for a personal Injury, or whereby any Sum of Money shall be assured or agreed to be paid as or for Loss or Damage or Compensation for or Indemnity against Loss or Damage arising from or consequent upon the happening of any Accident, the following Duties: (that is to say),

	£.	*s.*	*d.*
If the Premium or Consideration for such Assurance shall not exceed 2*s.* 6*d.* - -	*0*	*0*	*1*
And if the same shall exceed 2*s.* 6*d.* and shall not exceed 5*s.* - - - -	*0*	*0*	*3*
And if the same shall exceed 5*s.*, then for every 5*s.* and also for any fractional Part of 5*s.* of such Premium or Consideration - -	*0*	*0*	*3*

And where any such Assurance as aforesaid shall be made on such Terms or Conditions that the Rates of Duty aforesaid cannot be applied to the same or the Policy charged therewith, then, in lieu of the foregoing Rates of Duty, there shall be charged and paid upon such Policy in respect of the Amount of the Sum insured the same Rate of Stamp Duty as is now chargeable by Law on a Policy of Life Assurance.

Accidental Death Policy not to be chargeable as Life Assurance.

Not to repeal or alter the Duties payable by the Railway Passengers Assurance Company.

11. Provided always, That no Policy of Assurance for Payment of any Sum of Money upon the Death of any Person only from Accident or Violence, or otherwise than from a natural Cause, shall be deemed to be a Policy of Life Assurance chargeable otherwise than under this Act; and provided also, that nothing herein contained shall extend to repeal or alter the Duty chargeable under an Act passed in the Twelfth and Thirteenth Years of Her Majesty's Reign, intituled "An Act to confer certain Powers on the "Railway Passengers Assurance Company," on the Sums received by the said Company in respect of the Insurance Tickets issued by them or to impose any other Duty upon or in respect of such Tickets.

Section 8 of 23 & 24 Viet. c. 111. and Section 29 of 24 & 25 Vict. c. 91. repealed.

12. Section Eight of the said Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, and Section Twenty-nine of an Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, shall be and the same are hereby repealed, save and except as to any Arrear of Duty or any Penalty incurred before the passing of this Act.

Provisions for preventing Frauds

13. And for preventing Frauds in respect of the Stamp Duties by this Act imposed on Policies of Insurance, the Provisions and Penalties in relation to the Stamp Duties imposed by this Act on Policies of Insurance.

Penalties contained in Section Six of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Fifty-nine, shall be observed, applied, and put in force in relation to Policies of Insurance of any Description (other than Sea Insurance) whereon Duties are imposed by this Act; and further, if any Person shall make, sign, or deliver out any Policy not duly stamped for denoting the Duty by this Act charged thereon he shall forfeit the Sum of *Twenty Pounds;* and where any Insurance shall be made by or for any Society or Company the Person who shall be a Managing Director or the Secretary or other Principal Officer thereof at the Time of committing any Offence or unlawful Act, Neglect, or Default for which any Penalty is by this or any other Act imposed shall be held to be a Person committing such Offence, or doing or suffering such unlawful Act, Neglect, or Default, and shall, as well as the said Society or Company, be subject and liable to any and every such Penalty as aforesaid.

Interpretation Clause. "Assurance." "Policy."

14. The Term "Assurance" used in this Act shall mean and include Insurance, and the Term "Policy" shall mean and include any Agreement or other Instrument, by whatever Name the same shall be called, whereby any such Assurance as aforesaid shall be made or agreed to be made.

Policies and Instruments of Insurance made abroad on behalf of Insurers in the United Kingdom, when chargeable with Stamp Duty.

15. The Stamp Duties chargeable under this or any other Act for the Time being in force upon or in respect of any Policy of Insurance of any Description shall extend to and be deemed to be payable upon and in respect of any Policy or other Instrument of Insurance which shall be made or signed out of the United Kingdom by or on behalf of any Person carrying on the Business of Insurance within the United Kingdom, or by which, according to any Stipulation, Agreement, or Understanding, expressed or implied, any Loss or Damage or any Sum of Money shall be payable or recoverable in the United Kingdom upon the happening of any Contingency whatever; and no such Policy or other Instrument of Insurance shall be valid or available in the United Kingdom for any Purpose whatever, unless the same shall be duly stamped for denoting the Duties chargeable thereon as aforesaid: Provided always, that if such Policy or Instrument shall be brought to the Commissioners of Inland Revenue for the Purpose of being stamped as aforesaid within Two Calendar Months next after the same shall have been received in the United Kingdom, and upon Proof of that Fact to the Satisfaction of the said Commissioners, they shall cause such Policy or Instrument to be duly stamped on Payment of the Duties chargeable thereon; but after the Expiration of the said Period it shall not be lawful for the Com-

Policies executed abroad to be brought to be stamped within Two Months after being received in the United Kingdom.

missioners to permit the said Policy or Instrument to be stamped on any Pretence whatever.

Receipts given for Sums deposited on Allotments of Shares, or for Calls on Scrip or Shares, not to be exempted from Stamp Duty.

16. And whereas by the Laws in force Receipts given for Money deposited in any Bank, or in the Hands of any Banker, to be accounted for, are exempted from Stamp Duty, except Receipts or Acknowledgments for Sums paid or deposited for or upon Letters of Allotment of Shares, or in respect of Calls upon Scrip or Shares, of or in any Joint Stock or other Company, or proposed or intended Company: Be it enacted, That such Exception shall be deemed to apply wheresoever any such Company may be, and shall also extend to Receipts and Acknowledgments for Sums paid or deposited for or in respect of Allotments of Shares, and Calls upon Scrip or Shares, of or in any Loan or proposed or intended Loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Corporation, or Company; all which said Receipts and Acknowledgments, so excepted as aforesaid, by whomsoever given, shall be chargeable with the Duty imposed on Receipts.

Stamp Duties on Transfers of Mortgages.

17. And whereas by the said Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, certain Stamp Duties specified in the Schedule to the same Act were granted and imposed upon any Transfer or Assignment, Disposition or Assignation, of any Mortgage or Wadset, or of any such other Security as in the said Schedule is described, or of the Benefit thereof, or of the Money or Stock thereby secured: Be it enacted, That in lieu of the said last-mentioned Duties there shall be charged and paid for and upon every such Transfer or Assignment, Disposition or Assignation, as aforesaid, the following Stamp Duties; (that is to say,)

For every 100*l.* or any fractional Part of 100*l.* of the Amount or Value of the Principal Money or Stock already secured by such Mortgage, Wadset, or other such Security as aforesaid, thereby transferred or assigned or disponed, the Duty of *Sixpence.*

And if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured as aforesaid there shall be charged and paid also the same Duty as on a Mortgage or Wadset for the Amount or Value of such further Money or Stock.

Hawkers Licences may be renewed before Expiration, and new Licence to stand in

18. Any Hawker, Pedlar, or Petty Chapman may apply for a renewed Licence under the Provisions of the Statute in that Behalf at any Time before the Expiration of his current Licence; and on Production and Surrender of his current Licence, and Payment of the Duty chargeable on a new Licence, it shall be lawful for the

Officer to grant to him a renewed Licence, and such Officer shall insert therein the Days of the Commencement and Termination of the Period for which the same shall be granted, and the Day of granting the same, and shall endorse thereon a Memorandum of the Date and Place of Surrender of the current Licence; and such renewed Licence, so endorsed, shall stand in the Place of and be of the same Force and Effect as the surrendered Licence during the unexpired Term thereof, as well as for the whole of the Term for which the renewed Licence shall have been granted.

place of Licence surrendered.

First Appointments of certain Officers of Customs not to be chargeable with Stamp Duty.

19. No Stamp Duty shall be chargeable upon the Grant or Appointment made by the Commissioners of Customs to any Person on his First Appointment to the Office or Employment of Outdoor Officer, Boatman, Waterman, or Watchman in the Service of the Customs, or upon any Commission or Deputation granted to him in pursuance of such Appointment.

Declaration in order to a Marriage without Licence to be exempt from Stamp Duty.

20. The Declaration required to be made pursuant to the Second Section of the Act passed in the Nineteenth and Twentieth Years of Her Majesty's Reign, Chapter One hundred and nineteen, so far as regards such a Declaration made in order to a Marriage without Licence before a Superintendent Registrar, shall be exempt from any Stamp Duty.

StampDuties on Certificates of Marriage and of having received the Holy Sacrament repealed.

21. And whereas under the Title "Certificate" in the Schedule to the Act passed in the Fifty-fifth Year of the Reign of King George the Third, Chapter One hundred and eighty-four, a Stamp Duty of Five Shillings is imposed on a Certificate of Marriage, and the like Duty on a Certificate of any Person's having received the Holy Sacrament: Be it enacted, That the said respective Stamp Duties last mentioned shall be and the same are hereby repealed.

Appeals against Adjudications on Stamp Duties in Scotch Cases to be heard in Scotland.

22. And whereas by the Fifteenth Section of the said Act of the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, Her Majesty's Court of Exchequer at Westminster is required to hear Appeals against Adjudications of the Commissioners of Inland Revenue relating to the Stamp Duty on Deeds as therein mentioned: Be it enacted, That in Cases where Deeds shall be presented for the Opinion of the said Commissioners at their Office in Scotland, Appeals against their Adjudications may be heard and determined by Her Majesty's Court of Exchequer in Scotland in the same Manner and subject in all respects to the like Provisions as in the said Section are enacted with regard to Appeals to Her Majesty's Court of Exchequer at Westminster.

British Spirits in Warehouse may be transferred on Production of Delivery Order.

23. Any British Spirits deposited in a general Warehouse, in the Name of a Distiller or Dealer in Spirits, may be transferred in the Book kept by the Officer of Excise in charge of such Warehouse into the Name of a Purchaser, upon his producing to the Officer an Order in Writing from such Distiller or Dealer, countersigned by the Proprietor of the Warehouse or his known Servant, for the Delivery of the Spirits to such Purchaser; and all Spirits so transferred shall be discharged from all Claim in respect of any Duties, Penalties, or Forfeitures to which the Distiller or Dealer from whom such Transfer has been made may be liable, but no Spirits shall be delivered out of Warehouse for Home Consumption until Payment shall be made of the full Duties of Excise chargeable thereon.

Repeal of Sect. 122. of 23 & 24 Vict. c. 114.

24. Section One hundred and twenty-two of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen, is hereby repealed.

Amending the Law respecting Appeals under Excise Acts on Complaints before Commissioners and Justices.

25. In the Case of any Complaint brought before the Commissioners of Inland Revenue or Justices of the Peace respectively, by virtue of the Provisions contained in the Twenty-seventh Section of the Act passed in the Fourth and Fifth Years of the Reign of King William the Fourth, Chapter Fifty-one, in respect of any Matter or Thing which may be the Subject of Complaint under the said Section, if the Complainant, or the Solicitor, Collector, or Supervisor to whom Notice of such Complaint is by Law required to be given in such Case, shall feel aggrieved by the Judgment and Determination of the said Commissioners or Justices respectively, it shall be lawful for either Party aggrieved thereby to appeal from such Judgment and Determination, in like Manner and upon giving such Notices, and upon such Terms, Conditions, and Regulations (so far as the same shall be applicable) as are prescribed in Cases of Appeals by the several Acts passed respectively in the Seventh and Eighth Years of King George the Fourth, Chapter Fifty-three, the Fourth and Fifth Years of King William the Fourth, Chapter Fifty-one, and the Fourth Year of Her present Majesty, Chapter Twenty.

7 & 8 G. 4. c. 53. s. 33.

26. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth, Chapter Fifty-three, Section Thirty-three, any Person discovered as therein mentioned aiding or assisting or concerned in the private manufacturing of Goods or Commodities subject to any Duty of Excise is liable to the Penalty of Thirty Pounds, over and above other Penalties mentioned or referred to in the same Section of the said Act.

Persons convicted of the illegal Manufacture of Goods liable to Excise Duty may be afterwards sued for collateral Penalties.

27. And whereas Doubts are entertained whether a Person who has been convicted in the said Penalty of Thirty Pounds can afterwards be lawfully prosecuted for and convicted in any such other Penalties as aforesaid: Be it declared and enacted, That it shall be lawful to proceed against any Person for the Recovery of all or any of such last-mentioned Penalties, notwithstanding he may have been previously convicted in the said Penalty of Thirty Pounds.

Inland Revenue.

A

B I L L

To amend the Laws relating to the Inland Revenue.

(Prepared and brought in by
Mr. Dodson, Mr. Chancellor of the Exchequer,
and Mr. Peel.)

Ordered, by The House of Commons, *to be Printed,*
26 *May* 1865.

[Bill 169.]

Under 2 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Laws relating to the Inland Revenue.

BE it enacted by the Queens most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scale of Stamp Duties on Conveyances, in lieu of former Scale.

1. For and in lieu of the Scale of Stamp Duties chargeable under the Title " Conveyance " in the Schedule of the Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, the following Scale of Stamp Duties shall be chargeable; (that is to say,)

	£	*s.*	*d.*
Where the Purchase or Consideration Money expressed in or upon the principal or only Deed, Instrument, or Writing of Conveyance shall not exceed £5 - -	0	0	6
And where the same shall exceed £5 and not exceed £10	0	1	0
" " 10 " 15	0	1	6
" " 15 " 20	0	2	0
" " 20 " 25	0	2	6
" " 25 " 50	0	5	0
" " 50 " 75	0	7	6
" " 75 " 100	0	10	0
" " 100 " 125	0	12	6
" " 125 " 150	0	15	0
" " 150 " 175	0	17	6

	£		£	£	s.	d.
And where the same shall exceed	175	and not exceed	200	1	0	0
„ „	200	„	225	1	2	6
„ „	225	„	250	1	5	0
„ „	250	„	275	1	7	6
„ „	275	„	300	1	10	0
And where the Purchase or Consideration Money shall exceed £300, then for every £50, and also for any fractional Part of £50 - - - -				0	5	0

Scale of Stamp Duties on Appraisements in lieu of former Scale.

2. And for and in lieu of the Scale of Stamp Duties chargeable under the Title " Appraisement " in the Schedule to the Act passed in the Fifty-fifth Year of the Reign of King George the Third, Chapter One hundred and eighty-four, the following Scale of Stamp Duties shall be chargeable ; (that is to say,)

				£	s.	d.
Where the Amount of the Appraisement or Valuation shall not exceed £5 - - - - -				0	0	3
And where it shall exceed	£5	and not exceed	£10 -	0	0	6
„ „	10	„	20 -	0	1	0
„ „	20	„	30 -	0	1	6
„ „	30	„	40 -	0	2	0
„ „	40	„	50 -	0	2	6
„ „	50	„	100 -	0	5	0
„ „	100	„	200 -	0	10	0
„ „	200	„	500 -	0	15	0
„ „	500	-	- -	1	0	0

Scale of Stamp Duties on Awards in lieu of former Duties.

3. And for and in lieu of the Scale of Stamp Duties chargeable under the Title " Award " in the Schedule to the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and eleven, the following Scale of Stamp Duties shall be chargeable, (that is to say,)

				£	s.	d.
For and upon every Award in England or Ireland, and Award or Decreet Arbitral in Scotland, where the Amount or Value of the Matter in dispute shall not exceed £5 - - - - -				0	0	3
And where it shall exceed	£5	and not exceed	£10 -	0	0	6
„ „	10	„	20 -	0	1	0
„ „	20	„	30 -	0	1	6
„ „	30	„	40 -	0	2	0
„ „	40	„	50 -	0	2	6
„ „	50	„	100 -	0	5	0
„ „	100	„	200 -	0	10	0
„ „	200	„	500 -	0	15	0
„ „	500	„	750 -	1	0	0
„ „	750	„	1,000 -	1	5	0
And where it shall exceed £1,000, and also in all other Cases not above provided for - - - -				1	15	0

4. And

Stamp Duty reduced on certain Licences granted by Ecclesiastical Authority.

4. And in lieu of the Stamp Duty of Two Pounds now chargeable by Law for or upon any Licence to be granted by any Archbishop, Bishop, Chancellor, or other Ordinary, or by any Ecclesiastical Court, in England or Ireland, or by any Presbytery or other Ecclesiastical Power in Scotland, for any of the following Purposes, (that is to say,)

1. To hold the Office of Lecturer, Reader, Chaplain, Church Clerk, Chapel Clerk, Parish Clerk, or Sexton;
2. For licensing a Building for the Performance of Divine Service within an Ecclesiastical District formed under the Provisions of the New Parishes Act;
3. For licensing any Chapel for the Solemnization of Marriages therein pursuant to the Provisions of the Act Sixth and Seventh William the Fourth, Chapter Eighty-five;
4. For licensing or authorizing any Matter which regards a consecrated Building or Ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom;

There shall be charged and paid for or upon any such Licence as aforesaid the Stamp Duty of Ten Shillings: Provided always, that nothing herein contained shall extend to charge with Duty any Licence expressly exempted from Stamp Duty by any Act of Parliament now in force.

Agreements for letting small Tenements chargeable with One Penny Stamp Duty.

5. Any Agreement or Memorandum for the letting of a Dwelling House or Tenement, or Part of a Dwelling House or Tenement, for any Period less than a Year, at a Rent payable weekly or monthly, and not exceeding the Rate of Three Shillings and Sixpence per Week, shall be chargeable with the Stamp Duty of One Penny only in lieu of any other Stamp Duty now chargeable on any such Agreement or Memorandum.

Duty on Certificates taken out by Conveyancers and Special Pleaders within the first Three Years of their Practice reduced.

6. And whereas by an Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Sixty-three, certain Stamp Duties specified in the Schedule to the same Act annexed are imposed upon a Certificate to be taken out yearly by every Person, being a Member of One of the Four Inns of Court in England, and by every Person in Ireland, who, in the Character of Conveyancer, Special Pleader, Draftsman in Equity, or otherwise, shall, for or in expectation of any Fee, Gain, or Reward, draw or prepare any Conveyance of or Deed or Instrument relating to any Estate or Property, Real or Personal, or any other Deed or Contract whatever, or any Pleadings or Proceedings in any Court of Law or Equity: Be it enacted, That any such Certificate to be taken out by any such Person as aforesaid within the Period of Three Years after he shall first begin to practise in manner aforesaid shall be charged with only One Half of the said Duties respectively.

Stamp Duty on Charterparties reduced.

Penalty for signing unstamped Charterparties.

Terms on which certain Charterparties may be stamped after being signed.

7. In lieu of the Stamp Duty of Five Shillings now chargeable by Law on any Charterparty, or any Document chargeable with Stamp Duty as a Charterparty, there shall be charged and paid thereon the Stamp Duty of Sixpence; and it shall not be lawful, under any Pretence whatever, for the Commissioners of Inland Revenue to stamp, after the same shall have been signed, any Charterparty or any such Document as aforesaid which shall be made on or by means of any printed Form, or on a Form which shall be partly printed; and if any Person shall make or sign any Charterparty or other such Document as aforesaid which shall be printed or partly printed, and shall not be duly stamped for denoting the Duty hereby charged thereon before the same shall be signed, he shall forfeit the Sum of Fifty Pounds: Provided always, that if any Charterparty or other such Document as aforesaid which shall be wholly in Writing shall be brought to be stamped within the respective Times herein-after mentioned after the same shall bear Date and shall have been first signed, the Commissioners shall stamp the same on the following Terms; (that is to say,) if within Fourteen Days, on Payment of the Duty and Four Shillings and Sixpence; and if after that Time, and within One Calendar Month after such Date and first signing, then on Payment of the Duty and the Sum of Ten Pounds; but after the Expiration of the last-mentioned Period it shall not be lawful to stamp such Charterparty or other Document as aforesaid on any Pretence whatever.

Reduction of Duty on certain Time Policies of Sea Insurance.

8. And whereas by an Act passed in the Seventh Year of Her Majesty's Reign, Chapter Twenty-one, certain Stamp Duties contained in the Schedule to the same Act were imposed on Policies of Sea Insurance in relation to Ships or Vessels, for or upon any Voyage, and also for any certain Term or Period of Time: Be it enacted, That there shall be charged and paid, in lieu of the Duties chargeable under the said last-mentioned Act, for and in respect of any such Insurance made for a certain Term or Period of Time upon or in relation to any Ship or Vessel, the following reduced Rates of Duty for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist; (that is to say,)

		Duty.	
	£	s.	d.
Where any Insurance shall be made upon or in relation to any Ship or Vessel lying or being in any Dock, Harbour, or River for any certain			

Term

	Duty. £	s.	d.
Term or Period of Time not exceeding One Calendar Month - - - - -	0	0	6
And where any such Insurance as aforesaid shall be made for any Term or Period of Time exceeding One Month, and not exceeding Three Months, and also where any Insurance shall be made upon or in relation to any Ship or Vessel lying or being elsewhere than as aforesaid for any Term or Period of Time not exceeding Three Months - - - - -	0	1	0
And where any Insurance shall be made upon or in relation to any Ship or Vessel, wheresoever the same may be, for any Term or Period of Time exceeding Three Months and not exceeding Six Months - - - - -	0	2	0
Exceeding Six Months - - - - -	0	4	0

Insurances on a Voyage and also for Time, how chargeable.

And any Sea Insurance made for or upon a Voyage and also for any certain Term or Period of Time, or to extend to or cover any certain Term or Period of Time beyond Twenty-four Hours after the Ship shall have arrived at her Destination and been there moored at Anchor, is hereby declared to be an Insurance for a certain Term or Period of Time as well as an Insurance made upon a Voyage, and the Policy to be chargeable with Duty accordingly.

Limitation of Time for making Application for Allowance of Stamp Duty on Policies of Re-assurance repealed.

9. And whereas by an Act passed in the last Session of Parliament, Chapter Fifty-six, Section One, the Time for making Application to the Commissioners of Inland Revenue for the Allowance for the Stamp Duty impressed on a Policy of Re-assurance is limited to a Period of Three Calendar Months next after the Termination of the Risk: Be it enacted, That so much of the said Section as limits the Time for making such Application as aforesaid shall be and the same is hereby repealed.

55 G.3. c.184. "Policies."

10. And whereas by the said Act passed in the Fifty-fifth Year of the Reign of King George the Third, certain Stamp Duties contained in the Schedule to the same Act were imposed, under the Head or Title of "Policy," on various Descriptions of Insurance commonly known by the several Names of Life Insurance, Fire Insurance, and Sea Insurance respectively, specifically described and charged with Duty as in the said Schedule is mentioned; and lastly certain Duties were imposed upon any Policy of Assurance whereby any other lawful Insurance whatsoever than as aforesaid

23 & 24 Vict. c. 111.

Stamp Duties granted on certain Policies of Assurance in lieu of former Duties thereon.

should be made upon any Property or Interest whatever from Loss or Damage of any Kind: And whereas by the said Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and eleven, certain other Stamp Duties, described under the Head or Title of "Policy" in the Schedule to the last-mentioned Act, were also granted and imposed: Be it enacted, That in lieu of the Duties so granted and imposed by the said Two last-recited Acts respectively as last aforesaid, so far as they relate to any Insurance on which Duties are imposed by this Act, there shall be charged and paid for and upon any Policy of Assurance whereby any lawful Insurance not chargeable with Stamp Duty as Life Insurance, Fire Insurance, or Sea Insurance shall be made upon any Property or Interest whatever from Loss or Damage of any Kind, or whereby any Sum of Money shall be assured or agreed to be paid only upon the Death of any Person from Accident or Violence, or otherwise than from a natural Cause, or as Compensation for a personal Injury, or whereby any Sum of Money shall be assured or agreed to be paid as or for Loss or Damage or Compensation for or Indemnity against Loss or Damage arising from or consequent upon the happening of any Accident, the following Duties: (that is to say),

	£	*s.*	*d.*
If the Premium or Consideration for such Assurance shall not exceed 2*s.* 6*d.* - - - -	0	0	1
And if the same shall exceed 2*s.* 6*d.* and shall not exceed 5*s.* - - - -	0	0	3
And if the same shall exceed 5*s.*, then for every 5*s.* and also for any fractional Part of 5*s.* of such Premium or Consideration - -	0	0	3

And where any such Assurance as aforesaid shall be made on such Terms or Conditions that the Rates of Duty aforesaid cannot be applied to the same or the Policy charged therewith, then, in lieu of the foregoing Rates of Duty, there shall be charged and paid upon such Policy in respect of the Amount of the Sum insured the same Rate of Stamp Duty as is now chargeable by Law on a Policy of Life Assurance.

Accidental Death Policy not to be chargeable as Life Assurance.

Not to repeal or alter the Duties payable by the Railway Passengers

11. Provided always, That no Policy of Assurance for Payment of any Sum of Money upon the Death of any Person only from Accident or Violence, or otherwise than from a natural Cause, shall be deemed to be a Policy of Life Assurance chargeable otherwise than under this Act; and provided also, that nothing herein contained shall extend to repeal or alter the Duty chargeable under an Act passed in the Twelfth and Thirteenth Years of Her Majesty's Reign, intituled "An Act to confer certain Powers on the "Railway Passengers Assurance Company," on the Sums received by the said Company in respect of the Insurance Tickets issued by them or to impose any other Duty upon or in respect of such Tickets.

Assurance Company.

12. Section Eight of the said Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, and Section Twenty-nine of an Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, shall be and the same are hereby repealed, save and except as to any Arrear of Duty or any Penalty incurred before the passing of this Act.

Section 8 of 23 & 24 Vict. c. 111. and Section 29 of 24 & 25 Vict. c. 91. repealed.

13. And for preventing Frauds in respect of the Stamp Duties by this Act imposed on Policies of Insurance, the Provisions and Penalties contained in Section Six of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Fifty-nine, shall be observed, applied, and put in force in relation to Policies of Insurance of any Description (other than Sea Insurance) whereon Duties are imposed by this Act; and further, if any Person shall make, sign, or deliver out any Policy not duly stamped for denoting the Duty by this Act charged thereon he shall forfeit the Sum of Twenty Pounds; and where any Insurance shall be made by or for any Society or Company the Person who shall be a Managing Director or the Secretary or other Principal Officer thereof at the Time of committing any Offence or unlawful Act, Neglect, or Default for which any Penalty is by this or any other Act imposed shall be held to be a Person committing such Offence, or doing or suffering such unlawful Act, Neglect, or Default, and shall, as well as the said Society or Company, be subject and liable to any and every such Penalty as aforesaid.

Provisions for preventing Frauds in relation to the Stamp Duties imposed by this Act on Policies of Insurance.

14. The Term "Assurance" used in this Act shall mean and include Insurance, and the Term "Policy" shall mean and include any Agreement or other Instrument, by whatever Name the same shall be called, whereby any such Assurance as aforesaid shall be made or agreed to be made.

Interpretation Clause. "Assurance." "Policy."

15. The Stamp Duties chargeable under this or any other Act for the Time being in force upon or in respect of any Policy of Insurance of any Description shall extend to and be deemed to be payable upon and in respect of any Policy or other Instrument of Insurance which shall be made or signed out of the United Kingdom by or on behalf of any Person carrying on the Business of Insurance within the United Kingdom, or by which, according to any Stipulation, Agreement, or Understanding, expressed or implied, any Loss or Damage or any Sum of Money shall be

Policies and Instruments of Insurance made abroad on behalf of Insurers in the United Kingdom, when chargeable with Stamp Duty.

payable or recoverable in the United Kingdom upon the happening of any Contingency whatever; and no such Policy or other Instrument of Insurance shall be valid or available in the United Kingdom for any Purpose whatever, unless the same shall be duly stamped for denoting the Duties chargeable thereon as aforesaid: Provided always, that if such Policy or Instrument shall be brought to the Commissioners of Inland Revenue for the Purpose of being stamped as aforesaid within Two Calendar Months next after the same shall have been received in the United Kingdom, and upon Proof of that Fact to the Satisfaction of the said Commissioners, they shall cause such Policy or Instrument to be duly stamped on Payment of the Duties chargeable thereon; but after the Expiration of the said Period it shall not be lawful for the Commissioners to permit the said Policy or Instrument to be stamped on any Pretence whatever.

Policies executed abroad to be brought to be stamped within Two Months after being received in the United Kingdom.

Receipts given for Sums deposited on Allotments of Shares, or for Calls on Scrip or Shares, not to be exempted from Stamp Duty.

16. And whereas by the Laws in force Receipts given for Money deposited in any Bank, or in the Hands of any Banker, to be accounted for, are exempted from Stamp Duty, except Receipts or Acknowledgments for Sums paid or deposited for or upon Letters of Allotment of Shares, or in respect of Calls upon Scrip or Shares, of or in any Joint Stock or other Company, or proposed or intended Company: Be it enacted, That such Exception shall be deemed to apply wheresoever any such Company may be, and shall also extend to Receipts and Acknowledgments for Sums paid or deposited for or in respect of Allotments of Shares, and Calls upon Scrip or Shares, of or in any Loan or proposed or intended Loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Corporation, or Company; all which said Receipts and Acknowledgments, so excepted as aforesaid, by whomsoever given, shall be chargeable with the Duty imposed on Receipts.

Stamp Duties on Transfers of Mortgages.

17. And whereas by the said Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, certain Stamp Duties specified in the Schedule to the same Act were granted and imposed upon any Transfer or Assignment, Disposition or Assignation, of any Mortgage or Wadset, or of any such other Security as in the said Schedule is described, or of the Benefit thereof, or of the Money or Stock thereby secured: Be it enacted, That in lieu of the said last-mentioned Duties there shall be charged and paid for and upon every such Transfer or Assignment, Disposition or Assignation, as aforesaid, the following Stamp Duties; (that is to say,)

For every 100*l*. or any fractional Part of 100*l*. of the Amount or Value of the Principal Money or Stock already secured by such Mortgage, Wadset, or other such Security as aforesaid, thereby transferred or assigned or disponed, the Duty of Sixpence.

And if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured as aforesaid there shall be charged and paid also the same Duty as on a Mortgage or Wadset for the Amount or Value of such further Money or Stock.

Hawkers Licences may be renewed before Expiration, and new Licence to stand in place of Licence surrendered.

18. Any Hawker, Pedlar, or Petty Chapman may apply for a renewed Licence under the Provisions of the Statute in that Behalf at any Time before the Expiration of his current Licence; and on Production and Surrender of his current Licence, and Payment of the Duty chargeable on a new Licence, it shall be lawful for the Officer to grant to him a renewed Licence, and such Officer shall insert therein the Days of the Commencement and Termination of the Period for which the same shall be granted, and the Day of granting the same, and shall endorse thereon a Memorandum of the Date and Place of Surrender of the current Licence; and such renewed Licence, so endorsed, shall stand in the Place of and be of the same Force and Effect as the surrendered Licence during the unexpired Term thereof, as well as for the whole of the Term for which the renewed Licence shall have been granted.

First Appointments of certain Officers of Customs not to be chargeable with Stamp Duty.

19. No Stamp Duty shall be chargeable upon the first Grant or Appointment of any Person to the Office or Employment of Outdoor Officer, Boatman, Waterman, or Watchman in the Service of the Customs, or upon any Commission or Deputation granted to him in pursuance of such Appointment.

Declaration in order to a Marriage without Licence to be exempt from Stamp Duty.

20. No Declaration required to be made pursuant to any Act relating to Marriages in order to a Marriage without Licence shall be chargeable with any Stamp Duty.

Stamp Duties on Certificates of Marriage and of having received the Holy Sacrament repealed.

21. And whereas under the Title "Certificate" in the Schedule to the Act passed in the Fifty-fifth Year of the Reign of King George the Third, Chapter One hundred and eighty-four, a Stamp Duty of Five Shillings is imposed on a Certificate of Marriage, and the like Duty on a Certificate of any Person's having received the Holy Sacrament: Be it enacted, That the said respective Stamp Duties last mentioned shall be and the same are hereby repealed.

Appeals against Adjudications on Stamp

22. And whereas by the Statutes in that Behalf Her Majesty's Court of Exchequer at Westminster is required to hear Appeals against Adjudications of the Commissioners of Inland Revenue relating

Duties in Scotch Cases to be heard in Scotland.

relating to the Stamp Duty on Deeds as in the said Statutes is mentioned: Be it enacted, That in Cases where Deeds shall be presented for the Opinion of the said Commissioners at their Office in Scotland, Appeals against their Adjudications may be heard and determined by Her Majesty's Court of Exchequer in Scotland in the same Manner and subject in all respects to the like Provisions as in the said Statutes are respectively enacted with regard to Appeals to Her Majesty's Court of Exchequer at Westminster.

British Spirits in Warehouse may be transferred on Production of Delivery Order.

23. Any British Spirits deposited in a general Warehouse, in the Name of a Distiller or Dealer in Spirits, may be transferred in the Book kept by the Officer of Excise in charge of such Warehouse into the Name of a Purchaser, upon his producing to the Officer an Order in Writing from such Distiller or Dealer, countersigned by the Proprietor of the Warehouse or his known Servant, for the Delivery of the Spirits to such Purchaser; and all Spirits so transferred shall he discharged from all Claim in respect of any Duties, Penalties, or Forfeitures to which the Distiller or Dealer from whom such Transfer has been made may be liable, but no Spirits shall be delivered out of Warehouse for Home Consumption until Payment shall be made of the full Duties of Excise chargeable thereon.

Repeal of Sect. 122. of 23 & 24 Vict. c. 114.

24. Section One hundred and twenty-two of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen, is hereby repealed.

Amending the Law respecting Appeals under Excise Acts on Complaints before Commissioners and Justices.

25. In the Case of any Complaint brought before the Commissioners of Inland Revenue or Justices of the Peace respectively, by virtue of the Provisions contained in the Twenty-seventh Section of the Act passed in the Fourth and Fifth Years of the Reign of King William the Fourth, Chapter Fifty-one, in respect of any Matter or Thing which may be the Subject of Complaint under the said Section, if the Complainant, or the Solicitor, Collector, or Supervisor to whom Notice of such Complaint is by Law required to be given in such Case, shall feel aggrieved by the Judgment and Determination of the said Commissioners or Justices respectively, it shall be lawful for either Party aggrieved thereby to appeal from such Judgment and Determination, in like Manner and upon giving such Notices, and upon such Terms, Conditions, and Regulations (so far as the same shall be applicable) as are prescribed in Cases of Appeals by the several Acts passed respectively in the Seventh and Eighth Years of King George the Fourth, Chapter

Fifty-three, the Fourth and Fifth Years of King William the Fourth, Chapter Fifty-one, and the Fourth Year of Her present Majesty, Chapter Twenty.

7 & 8 G. 4. c. 53. s. 33.

Persons convicted of the illegal Manufacture of Goods liable to Excise Duty may be afterwards sued for collateral Penalties.

26. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth, Chapter Fifty-three, Section Thirty-three, any Person discovered as therein mentioned aiding or assisting or concerned in the private manufacturing of Goods or Commodities subject to any Duty of Excise is liable to the Penalty of Thirty Pounds, over and above other Penalties mentioned or referred to in the same Section of the said Act: And whereas Doubts are entertained whether a Person who has been convicted in the said Penalty of Thirty Pounds can afterwards be lawfully prosecuted for and convicted in any such other Penalties as aforesaid: Be it declared and enacted, That it shall be lawful to proceed against any Person for the Recovery of all or any of such last-mentioned Penalties, notwithstanding he may have been previously convicted in the said Penalty of Thirty Pounds.

Clause A.
Liquids containing purified Methylic Alcohol to be deemed Low Wines for distilling Purposes, and Persons distilling the same to be deemed Distillers.

27. And whereas it is discovered that potable Spirits may be obtained from Methylic Alcohol by distilling the same after certain Processes of Purification, by which it is freed from the unpalatable Flavours which pertain to it in its crude State, and it is expedient to subject such Spirits to the Duty of Excise chargeable on Spirits: Be it enacted, That any Liquid containing or having mixed therewith Methylic Alcohol which shall have been purified or prepared for Distillation by means of Filtration, or any other Process which may free it or be intended to free it wholly or partially from any Flavour or Odour which might otherwise pertain to it, shall be deemed to be Low Wines for the Purpose of Distillation within the Meaning of the Laws of Excise relating to the distilling of Spirits; and every Person making, preparing, or having in his Possession any such Low Wines, and having also a Still, shall be deemed to be a Distiller liable to the several Duties, Penalties, and Forfeitures imposed by Law on Distillers of Spirits.

Clause B.
Preparation of Methylic Alcohol for distilling Spirits to be carried on only in a licensed Distillery.

28. Methylic Alcohol which shall have undergone any such Process of Filtration or Purification as aforesaid shall be deemed to have been so prepared for the Purpose of distilling Spirits therefrom, and no Person other than a Person duly licensed as a Distiller of Spirits shall so prepare or purify any Methylic Alcohol, nor shall any such Process as aforesaid be commenced or carried on elsewhere than on Premises duly licensed as a Distillery, and of which, together with the Stills, Vessels, and Utensils to be used therein, due Entry shall have been made with the Officers of Excise, under pain of such Penalties and Forfeitures and Liability to Seizure for any Breach of this Enactment as would or might be incurred by any Act done in contravention of the Third Section of the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen.

Clause C.
Rules and Regulations under which the distilling of Spirits from such Low Wines is to be carried on.
Spirits to be chargeable with Excise Duty.

29. The distilling of Spirits from any such Low Wines as aforesaid shall be carried on under and subject to the like Rules, Regulations and Conditions as are prescribed by the Laws in force in relation to the distilling of Spirits, and the Spirits produced by such Distillation shall be deemed to be British Spirits chargeable with the Duties of Excise, and shall be subject to all the Laws, Provisions, and Regulations relating to British Spirits: Provided always, that where it shall be made to appear to the Commissioners of Inland Revenue that any of such Rules, Regulations, or Conditions are inapplicable to the making, preparing, or distilling of such Low Wines as aforesaid, or impose too great a Restriction on such Distillation, it shall be lawful for the said Commissioners to relax or dispense with any of such Rules, Regulations, or Conditions, and to frame others in lieu thereof for the Purpose of regulating and facilitating the Business of the said Distillation, and otherwise in relation thereto, as they shall see fit in that Behalf.

Inland Revenue.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend the Laws relating to the
Inland Revenue.

(Prepared and brought in by
Mr. Dodson, Mr. Chancellor of the Exchequer,
and Mr. Peel.)

Ordered, by The House of Commons, *to be Printed,*
12 *June* 1865.

[Bill 207.]

Under 2 *oz.*

A

B I L L

TO

Enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

Preamble.

WHEREAS it is desirable to amend the Law regarding the Jurisdiction and Authority exercised by the Benchers of the Four Inns of Court in England in certain Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Benchers empowered to elect Judicial Committees in Cases of Charges against Barristers, or Inquiries into the Conduct of any Member of their Inn, or Objections

1. That whenever any Charge or Complaint connected with or affecting the Practice and the Duties or the Honour of the Legal Profession shall be made against any Barrister to the Benchers of the Inn of Court in England of which he is a Member, and also whenever the Benchers of any of the Four Inns of Court shall deem it necessary or expedient for the Honour and Credit of the Legal Profession to inquire into the Conduct of any Barrister or other Member of their Inn, and also whenever any Objection to the Call to the Bar of any Student shall be made to the Benchers of the Inn of Court to which such Student belongs, or to the Admission as a

Student

to Call or Admission of Students.

Student of any Person, in every such Case it shall be lawful for such Benchers, if they shall think fit, to elect from their own Body Five Benchers to constitute a Judicial Committee to hear and determine such Charge or Complaint, or such Matter of Inquiry, or such Objection as aforesaid.

Power to Judicial Committees to hear and determine Cases, and to disbar or suspend Barristers, or expel any Member of the Inn.

2. It shall be lawful for any such Judicial Committees elected as aforesaid, and they are hereby required in every such Case to hear and determine every such Charge or Complaint, or such Matter of Inquiry, and every such Objection as aforesaid; and such Judicial Committee shall have the Power to disbar any Barrister, or to expel from the Inn any Barrister or other Member of such Inn whom such Committee shall find guilty of any Offence deserving such Punishment, or to suspend any such Barrister or other Member of the Inn from Practice for any Time that they shall think proper; and also such Committee shall have Power to hear and determine any Objection made to the Call to the Bar of any Student as aforesaid, or to the Admission of any Person as a Student.

No Barrister to be disbarred or suspended, and no one shall be expelled or refused to be called or admitted, except by Decision of a Judicial Committee.

3. No Barrister shall be disbarred or suspended from Practice, no Barrister or other Member of any Inn shall be expelled from such Inn, and no Student shall be refused to be called to the Bar, and no Person shall be refused Admission as a Student to any Inn of Court, except by Decision of a Judicial Committee elected under the Provisions of this Act.

Right of challenging Three Members of Judicial Committee.

4. It shall be lawful for any Barrister or other Member of any Inn of Court against whom any Charge or Complaint shall be brought before, or whose Conduct shall be inquired into by any such Judicial Committee, or any Person whose Call or Admission shall be objected to as aforesaid, to challenge any of the Members of such Judicial Committee not exceeding Three, and the Benchers of the Inn of Court by whom such Committee was elected shall thereupon choose some other Bencher or Benchers of such Inn of Court to hear and determine such Charge or Complaint or Objection in the Place of the Member or Members so challenged.

Appeal to the Judges.

5. In every Case within the Provisions of this Act an Appeal shall lie from such Judicial Committee to the Judges of the Superior Courts of Common Law, that is to say, the Courts of Queen's Bench, Common Pleas, and Exchequer.

Power for Judges to frame, alter, and amend Rules for Election of

6. It shall be lawful for the Judges of the said Superior Courts of Common Law, or any Five of them, from Time to Time to frame, alter, and amend Rules and Regulations for the Election of such

Judicial Committees, and for the Procedure of such Judicial Committees, and of Appeals from their Decisions.

Judicial Committees, and for Procedure.

7. Such Judicial Committees as aforesaid and the Judges hearing any Appeal therefrom shall in all Cases sit in open Court, unless all Parties to the Case shall agree that such Case shall be heard in private, and the Judgments of such Judicial Committees and of the Judges on Appeal respectively shall be in Writing stating the Reasons on which such Judgments are grounded.

Committees and Judges to sit in open Court, unless Parties shall consent to private Hearing.

8. The said Judicial Committees, and the Judges sitting on Appeal therefrom, shall have all the Powers of compelling the Attendance of Witnesses and the Production of Papers and Documents, and of punishing for Contempts, and all other the Powers which by Law belong to a Court of Record, and also the Power of administering an Oath or Affirmation, as the Case may be, to any Witness appearing before them.

Committees and Judges respectively to have Powers of Courts of Record.

9. Any Person examined before any such Judicial Committee or before the Judges on Appeal therefrom, who shall wilfully give false Evidence shall be liable to the Penalties of Perjury.

Persons giving false Evidence to be liable to Penalties of Perjury.

A

BILL

To enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

(Prepared and brought in by
Sir George Bowyer and Mr. Hennessy.)

Ordered, by The House of Commons, *to be Printed*
27 *February* 1865.

[Bill 44.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

WHEREAS it is desirable to extend and regulate the Jurisdiction exercised by the Benchers of the Four Inns of Court in England in certain Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.

1. That whenever any Charge or Complaint connected with or affecting the Practice and the Duties or the Honour of the Legal Profession shall be made against any Barrister or other Member of their Inn to the Benchers of the Inn of Court in England of which he is a Member, and also whenever the Benchers of any of the Four Inns of Court shall deem it necessary or expedient, with a view to the Exercise of their Powers and Functions, to inquire into the Conduct of any Barrister or other Member of their Inn, in

Benchers empowered to elect Judicial Committees in Cases of Charges against Barristers, or Inquiries into the Conduct of any

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1. That whenever any Charge or Complaint connected with or affecting the Practice and the Duties or the Honour of the Legal Profession shall be made against any Barrister or other Member of their Inn to the Benchers of the Inn of Court in England of which he is a Member, and also whenever the Benchers of any of the Four Inns of Court shall deem it necessary or expedient, with a view to the Exercise of their Powers and Functions, to inquire into the Conduct of any Barrister or other Member of their Inn, Member of their Inn, &c.

in every such Case it shall be lawful for such Benchers, if they shall think fit, to elect from their own Body a Judicial Committee, consisting of not less than Five nor more than Eleven Benchers, to hear and determine such Charge or Complaint or such Matter of Inquiry.

Power to Judicial Committees to hear and determine Cases, and to disbar or suspend Barristers, or expel any Member of the Inn.

2. It shall be lawful for any such Judicial Committees elected as aforesaid, and they are hereby required in every such Case to hear and determine every such Charge or Complaint, or such Matter of Inquiry; and such Judicial Committee shall have the Power to disbar any Barrister, and to expel from the Inn any Barrister or other Member of the Inn whom such Committee shall find guilty of any Offence deserving such Punishment, and to suspend any such Barrister or other Member of the Inn from Practice for any Time that they shall think proper; and to pass any other Sentence which it would have been competent to the Benchers of the Inn to have passed.

No Barrister to be disbarred or suspended except by Decision of a Judicial Committee

3. No Barrister shall be disbarred or suspended from Practice, and no Barrister or other Member of any Inn shall be expelled from such Inn, except by Decision of a Judicial Committee elected under the Provisions of this Act.

Appeal to the Judges.

4. An Appeal shall lie from such Judicial Committee to the Judges of the Superior Courts of Common Law, that is to say, the Courts of Queen's Bench, Common Pleas, and Exchequer, in the same Cases in which there would have been such Appeal if the Decision of the Judicial Committee had been a Decision of the Benchers of the Inn.

Power for Judges to frame, alter, and amend Rules for Election of Judicial Committees, and for Procedure.

5. It shall be lawful for the Benchers of each of the Inns of Court, if they shall think fit, from Time to Time to frame, alter, and amend Rules and Regulations concerning the Election or Appointment of a Member of each of its Judicial Committees to be President or Chairman thereof, and concerning his Functions and Powers, and concerning the Proceedings and Powers of such Committees (including their Powers and Discretion in the Admission or Rejection of Evidence), and concerning the Proceedings of the Parties and others appearing before such Committees, and for regulating the Time within which Appeals may be brought; all which Rules and Regulations are to be subject to the Approval and Allowance of the Judges of the said Superior Courts of Common Law, or any Five of them.

Committees and Judges to sit in open Court, unless Parties shall consent to private Hearing.

6. Such Judicial Committees as aforesaid and the Judges hearing any Appeal therefrom shall sit in open Court, if the Person against whom the Charge or Complaint is made or whose Conduct is the Subject of Inquiry shall require the same, and the Judgments of such Judicial Committees and of the Judges on Appeal respectively shall be in Writing.

Committees and Judges respectively to have Powers of Courts of Record.

7. The said Judicial Committees, and the Judges sitting on Appeal therefrom, shall have all the Powers of compelling the Attendance of Witnesses and the Production of Papers and Documents, and of punishing for Contempts, and all other the Powers which by Law belong to the High Court of Chancery or Court of Queen's Bench, and also the Power of administering an Oath or Affirmation, as the Case may be, to any Witness appearing before them.

Defining the Powers of the Treasurer or of the President of a Committee, and Penalties for Resistance.

8. For the better Exercise of the Powers hereby given, it shall be lawful for the Treasurer of each of the said Inns of Court, or for any Person elected or appointed to be President or Chairman of any such Committee as aforesaid, to authorize or appoint any Person or Persons to administer an Oath or Affirmation for the Purposes of this Act, and also to authorize and appoint any Person or Persons to receive and take Affidavits or Depositions for the Purposes of this Act, and also to require the Attendance of any Witnesses, and the Production of any Papers or Documents, by Writ to be issued by him in such and the same Form (as nearly as may be) as a Writ of Subpœna ad testificandum or of Subpœna duces tecum is now issued by Her Majesty's Court of Queen's Bench; and any Person disobeying any such Writ so to be issued shall be considered as in Contempt of the Judicial Committee for the Purposes of which the same shall have been issued, and shall be subject to such and the same Penalties and other Consequences as if such Writ had issued out of the said Court of Queen's Bench, and may be sued for such Penalties or otherwise proceeded against accordingly in the said Court.

Majority must concur for the Passing of Sentence.

9. No Sentence or Decision shall be passed or made by any Judicial Committee under this Act, unless a Majority of its Members shall concur in the same.

Persons giving false Evidence to be guilty of Perjury.

10. Any Person examined before any such Judicial Committee, or before the Judges on Appeal therefrom, who shall wilfully give false Evidence shall be guilty of Perjury.

Inns of Court.

A

BILL

[AS AMENDED IN COMMITTEE]

To enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

(Prepared and brought in by
Sir George Bowyer and Mr. Hennessy.)

Ordered, by The House of Commons, *to be Printed,*
25 *May* 1865.

[Bill 164.]

Under 1 *oz.*

be substituted for the Bill
already delivered.

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

Preamble.

WHEREAS it is desirable to extend and regulate the Jurisdiction exercised by the Benchers of the Four Inns of Court in England in certain Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Benchers empowered to elect Judicial Committees in Cases of Charges against Barristers, or Inquiries into the Conduct of any

1. That whenever any Charge or Complaint connected with or affecting the Practice and the Duties or the Honour of the Legal Profession shall be made against any Barrister or other Member of their Inn to the Benchers of the Inn of Court in England of which he is a Member, and also whenever the Benchers of any of the Four Inns of Court shall deem it necessary or expedient, with a view to the Exercise of their Powers and Functions, to inquire into the Conduct of any Barrister or other Member of their

Member of their Inn, &c.

their Inn, in every such Case it shall be lawful for such Benchers, if they shall think fit, to elect from their own Body a Judicial Committee, consisting of not less than Five nor more than Eleven Benchers, to hear and determine such Charge or Complaint or such Matter of Inquiry; and in case any Bencher elected to be a Member of such Judicial Committee shall be unable or unwilling to serve thereon, it shall be lawful for the aforesaid Benchers to reduce the Number of Members of the said Judicial Committee as they may think fit, so that the same be not thereby reduced below the Number of Five.

Power to Judicial Committees to hear and determine Cases, and to disbar or suspend Barristers, or expel any Member of the Inn.

2. It shall be lawful for any such Judicial Committees elected as aforesaid and they are hereby required in every such Case to hear and determine every such Charge or Complaint, or such Matter of Inquiry; and such Judicial Committee shall have the Power to disbar any Barrister, and to expel from the Inn any Barrister or other Member of the Inn whom such Committee shall find deserving such Punishment, and to suspend any such Barrister or other Member of the Inn from Practice for any Time that they shall think proper, and to pass any other Sentence which it would have been competent to the Benchers of the Inn to have passed.

No Barrister to be disbarred or suspended except by Decision of a Judicial Committee.

3. No Barrister shall be disbarred or suspended from Practice, and no Barrister or other Member of any Inn shall be expelled from such Inn, except by Decision of a Judicial Committee elected under the Provisions of this Act.

Appeal to the Judges.

4. An Appeal shall lie from such Judicial Committee to the Judges of the Superior Courts of Common Law, that is to say, the Courts of Queen's Bench, Common Pleas, and Exchequer, in the same Cases in which there would have been such Appeal if the Decision of the Judicial Committee had been a Decision of the Benchers of the Inn, such Appeal to be heard and determined upon the Evidence taken before the Judicial Committee.

Power for Judges to frame, alter, and amend Rules for Election of Judicial Committees, and for Procedure.

5. It shall be lawful for the Benchers of each of the Inns of Court, if they shall think fit, from Time to Time to frame, alter, and amend Rules and Regulations concerning the Election or Appointment of a Member of each of its Judicial Committees to be President or Chairman thereof, and concerning his Functions and Powers, and concerning the Proceedings and Powers of such Committees (including their Powers and Discretion in the Admission or Rejection of Evidence), and concerning the Proceedings of the Parties and others appearing before such Committees, and concerning the Forms of any Orders, Writs, and other Proceedings which the Benchers may think fit to be used, and for regulating the Time within which Appeals may be brought; all which Rules and Regulations are to be subject to the Approval and Allowance of the Judges of the said Superior Courts of Common Law, or any Five of them.

Committees and Judges to sit in open Court, unless Parties shall consent to private Hearing.

6. Such Judicial Committees as aforesaid and the Judges hearing any Appeal therefrom, shall sit in open Court, if the Person against whom the Charge or Complaint is made or whose Conduct is the Subject of Inquiry shall require the same, but they may deliberate in private, and the Judgments of such Judicial Committees and of the Judges on Appeal respectively shall be in Writing.

Committees to have Powers of Courts of Record.

7. The said Judicial Committees shall have all the Powers of compelling the Attendance of Witnesses, and the Production of Parties and Papers and Documents, and of punishing for Contempts, and all other the Powers which by Law belong to the High Court of Chancery or Court of Queen's Bench, and also the Power of administering an Oath or Affirmation, as the Case may be, to any Witness or Party appearing before them; and any Person guilty of Contempt of the said Judicial Committee shall, upon Certificate thereof signed by the President or Chairman, be punishable by the Court of Queen's Bench in the same Manner and by the same Process, and be otherwise dealt with, as if he had been guilty of Contempt of that Court.

Defining the Powers of the Treasurer or of the President of a Committee, and Penalties for Resistance.

8. For the better Exercise of the Powers hereby given, it shall be lawful for the Treasurer of each of the said Inns of Court, or for any Person elected or appointed to be President or Chairman of any such Committee as aforesaid, to authorize or appoint any Person or Persons to administer an Oath or Affirmation for the Purposes of this Act, and also to authorize and appoint any Person or Persons to receive and take Affidavits or Depositions for the Purposes of this Act, and also to require the Attendance of any Witnesses, and the Production of any Papers or Documents, by Writ to be issued by him in such and the same Form (as nearly as may be) as a Writ of Subpœna ad testificandum or of Subpœna duces tecum is now issued by Her Majesty's Court of Queen's Bench; and any Person disobeying any such Writ so to be issued shall be considered as in Contempt of the Judicial Committee for the Purposes of which the same shall have been issued, and shall be subject to such and the same Pains and Penalties as if such Writ had issued out of the said Court of Queen's Bench, and may be proceeded against accordingly in the said Court as for a Contempt of that Court.

Majority must concur for the passing of Sentence.

9. No Sentence or Decision shall be passed or made by any Judicial Committee under this Act unless a Majority of its Members shall concur in the same, who shall have been present at every Hearing of the Case, such Majority not being less than Three.

Persons giving false Evidence to be guilty of Perjury.

10. Any Person examined before any such Judicial Committee who shall wilfully give false Evidence shall be guilty of Perjury.

Inns of Court.

A

BILL

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

To enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

(Prepared and brought in by Sir George Bowyer and Mr. Hennessy.)

Ordered, by The House of Commons, *to be Printed,*
1 *June* 1865.

[Bill 192.] † *Under* 1 *oz.*

Insolvent Debtors.

A

BILL

TO

Facilitate the Discharge of Insolvent Debtors in certain Cases.

Preamble.

WHEREAS it is expedient to make Provision for the Release and Judicial Discharge of Persons owing small Debts, and who have not any Means or Property wherewith to pay the same, nor any well-founded Expectation of being able within a reasonable Time to do so, and who have not obtained Credit or contracted such Debts by means of any false Pretence, Fraud, or Breach of Trust, or wilfully and without having had a reasonable Expectation of being able to pay or discharge the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement and Operation of Act.

1. This Act shall commence and take effect from and after the *First Day of September next* after the passing hereof: It shall extend and apply to, and the Powers hereby conferred shall be exercised by, the presiding Judge of every Court having Power to commit any Person to Prison upon or by reason of any Order or Judgment, wherever there shall have been recovered a Sum for Debt not exceeding *Twenty Pounds*, exclusive of Costs; and the Lord Chancellor shall have Power to direct from Time to Time, by

General Orders, the Forms to be used and the Fees to be taken upon or in respect of Proceedings under this Act, and the Application of such Fees.

Method of proceeding under this Act.

2. Whenever, upon the Examination of any Person summoned to appear before the Judge of any Court having the Powers of Commitment in the last Section mentioned and be examined touching his Estate and Effects, and Means of paying any Judgment Debt, it shall appear to the Judge that such Person has not then nor within a reasonable Time is likely to have any Money or Property of any Kind, and that, taking into consideration his Means of earning any Money, there is no well-founded Expectation of his being able, after providing for the Support of his Family, to pay and discharge his Debts within a reasonable Time out of such Earnings, the Judge may proceed to examine such Person touching all his Debts, Dealings, and Transactions, and if he shall be satisfied with such Examination shall, if he think fit, make a Preliminary Order to the Effect that upon a Day to be therein named, and within *Two Calendar Months* from the Day of the Date thereof, he will proceed to make in favour of the Person named therein (such Person herein-after called the Insolvent) a Final Order of Discharge from the Debts and Liabilities then due and owing by him, of which he shall disclose the Amounts and Names of the Creditors respectively in the meantime, unless good Cause shall be shown to the contrary.

Notice of Preliminary Order.

3. A Notice of such Preliminary Order having been made shall be put up in some conspicuous Place, open to the Public, in the Court-house or Office of the Registrar or Clerk of the Court, and shall be entered by the Registrar or other Officer of the Court in a Book to be kept for that Purpose, which shall be open to the Inspection of any Person professing to be a Creditor or the Agent of a Creditor of the Insolvent; and the Registrar or other Officer of the Court shall also, at the Request of the Insolvent, at any Time within *One Month* of the Date thereof, but not later, unless by Leave of the Judge, transmit a similar Notice by Post to every Creditor of the Insolvent with whose Name and Address he shall be supplied.

Final Order of Discharge.

4. On the Day appointed in that Behalf the Judge shall proceed to make the Final Order of Discharge, unless good Cause be shown to the contrary; and to such Order, if made, the Registrar or other Officer of the Court shall append the Name and Address of each Creditor to whom a Copy of the Preliminary Order shall have been transmitted, unless such Creditor, having previously given to the Registrar or such other Officer and to the Insolvent at least *Ten*

Days Notice in Writing of his Intention so to do, stating in such Notice the Grounds on which he relies, shall show Cause to the contrary, and the Judge shall be of opinion, that, as regards such Creditor, the Order of Discharge should not take effect; but the Judge shall have Power to refuse the Order of Discharge altogether, or to adjourn the further Examination of the Insolvent from Time to Time, and at any Time to rescind the Preliminary Order or the Order of Discharge, in whole or in part, upon being satisfied that such Order ought not to have been made.

Preliminary Order to have Effect of Order of Protection.

5. The Preliminary Order shall have the same Effect as an Order of Protection made under the Statutes relating to Bankruptcy, and the Final Order of Discharge the same Effect as the unconditional Order of Discharge of a Bankrupt under such last-mentioned Statutes, as to all the Debts and Liabilities of the Insolvent due and owing at the Date of the Preliminary Order to the Creditor who issued the Judgment Summons, and to those Creditors whose Names are appended to the Order of Discharge; and any Gift, Contract, Promise, or Agreement to or with the Creditor, or any One on his Behalf, for the withholding or withdrawing of Opposition to the making of the Final Order, shall be void and of no Effect.

Act not to apply to Persons who obtained Credit under false Pretences, &c.

6. The Provisions of this Act shall not extend or apply to any Person who, in incurring the Debt or Liability which is the Subject of Inquiry by the Judge, shall appear to have obtained Credit under false Pretences, or by means of Fraud or Breach of Trust, or to have wilfully contracted such Debt or Liability without having at the same Time a reasonable Expectation of being able to pay or discharge the same, or to have since made or caused to be made any Gift, Delivery, or Transfer of his Property, or to have since charged, removed, or concealed the same, with Intent to defraud his Creditors or any of them, or to have had at the Time or since the Judgment was obtained against him sufficient Means and Ability to pay the Debt or Damages or Costs so recovered against him, and to have refused or neglected so to do.

Title of Act.

7. This Act may be cited for all Purposes as "The Small Debtors Discharge Act, 1865."

Insolvent Debtors.

A

B I L L

To facilitate the Discharge of Insolvent Debtors in certain Cases.

(*Prepared and brought in by*
Mr. Paull, Mr. Locke, and Mr. M'Mahon.)

Ordered, by The House of Commons, *to be Printed,*
15 *February* 1865.

[Bill 24.]

Under 1 *oz.*

A

B I L L

TO

Authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the Isle of Man.

Preamble.

WHEREAS an Act of Tynwald was passed and promulgated by the Legislature of the Isle of Man, entitled "The Isle of Man Disafforesting Act, 1860," and by such Act certain Commissioners were to be appointed for carrying the same into execution, and by the Fifth Section of such Act such Commissioners were directed to ascertain, subject to the Proviso in that Section contained, the Boundaries of the Lands in the Forest in the Isle of Man uninclosed or which ought to be uninclosed, which Lands so intended to be ascertained were therein-after called the uninclosed Forest, and to determine all Claims relating to such Boundaries, which Boundaries, as ascertained by the said Commismissioners, it was enacted should be conclusively deemed to be the true Boundaries of the uninclosed Forest for all the Purposes of that Act, provided that it should not be lawful for the said Commissioners to include within the said Boundaries any Part of the Shore of the Sea, or of any Creek, Bay, or Inlet thereof, so far as the Tide flowed at ordinary Spring Tides; and by the Sixth Section of the same Act the Commissioners were empowered, subject as in the said Act is mentioned, to sell any Part of the uninclosed Forest to defray Expenses; and by the Eighth Section of the same Act the said Commissioners were directed to receive Evidence as to the Nature and Value of the Rights of Her Majesty in the uninclosed Forest (other than the Rights in the same Section specified), and to allot to Her Majesty such Part of the uninclosed Forest, subject as in the said Act mentioned, as the said Commissioners should deem to be a sufficient and adequate Compensation for the said Rights of Her Majesty; and by the said Act it was enacted that the Part of the uninclosed Forest to be so allotted to Her Majesty should, on the making of the First Award in the said Act mentioned, remain or be absolutely vested in Her Majesty in right of Her Crown, as Part of the Possessions and Land Revenues of the Crown, freed from all Rights and Claims whatsoever, and that the Residue of the uninclosed Forest, in the said Act called the Commoners Allotment (after making the Sales and Allotments in the said Act mentioned), should, on making the First Award, and subject as in the said Act mentioned, be held by Her Majesty (until the same might be inclosed under the Second Award in the said Act mentioned) in trust for the several Persons for the Time being entitled to Rights of Common over the uninclosed Forest; and by the Fourteenth Section of the same Act it was provided, that, until the First Award had been made, any Memorandum in Writing under the Hands of the Commissioners of that Act, or any Two of them, should be sufficient Evidence of any Decision of such Commissioners; and by the said Act, after the making of the First Award, the Commissioner, in the said Act called the Third Commissioner, was directed to ascertain, by the Award, in the said Act called the Second Award, the several Persons entitled to Rights of Common over the uninclosed Forest, and to divide and allot the Commoners Allotment among such Persons, to set out Turbaries, Roads, Ways, and Fences, and to sell Land for Payment of Expenses: And whereas another Act of Tynwald was passed and promulgated in the last Year, entitled "An Act for making Compensation for certain Claims "in regard to certain Lands affected by the Isle of Man "Disafforesting Act, 1860," whereby, after reciting the last mentioned Act, and that George Wingrove Cooke, Nathan Wetherell (the Third Commissioner), and James Henry Patteson, Esquires, Barristers-at-Law, the Commissioners appointed to carry the said first-recited Act into execution, by a Memorandum in Writing dated the Twenty-fourth Day of August One thousand eight hundred and sixty-one, under their Hands, after reciting that they had ascertained the Boundaries of the Lands in the said Forest uninclosed or which ought to be uninclosed, did thereby make their

Declaration of the Boundaries of the uninclosed Forest in manner therein mentioned; and the said Commissioners further declared that it was their Intention that their Declaration should be construed with reference to certain Plans or Maps thereunto annexed, and that in case of any Doubt or Ambiguity arising from any Statement in that Declaration the Boundary Line indicated on the said Plans or Maps was on all Occasions to be deemed to afford conclusive Evidence as to the Direction of the true Boundary Line of the said uninclosed Forest; and further reciting that the said Commissioners had taken divers Proceedings under the first-recited Act, but that they had not made their First Award pursuant thereto; and further reciting that certain Claims were made before the said Commissioners to Portions of the uninclosed Forest as defined by the first-recited Act and by the said Declaration of Boundaries, upon the alleged Grounds that Licences granted by or on behalf of the Lord for the Time being of the Isle of Man were in existence authorizing the Inclosure of the Lands therein and in the said Claims described, under which Licences the Claimants were entered as Tenants on the Lord's Books, and had regularly paid Rent to the Lord or Lady of the Isle for the Time being, and some of the said Claims were disallowed by the said Commissioners, and that it was reasonable that such Compensation in respect of certain of the said Claims so disallowed, and of such other Claims as might thereafter be made and allowed, should be made as was by that Act provided; it is by the Act of Tynwald now in recital enacted, that the Provisions of the same shall be carried into execution by the Third Commissioner for the Time being under "The Isle of Man Disafforesting Act, 1860;" and it is further enacted that out of the Monies therein-after mentioned, and called the Compensation Fund, the Third Commissioner shall be paid such a Sum, not exceeding Two hundred Pounds, as the Inclosure Commissioners for England and Wales shall think reasonable, by way of Remuneration for carrying the Act now in recital into execution; and that the Commissioner shall also, out of the same Fund, pay or retain all Costs and Expenses of employing any Land Surveyor and Valuer, and all other reasonable Expenses to be incurred by the Third Commissioner in the Performance of his Duties under the same Act, subject to the Allowance by the Inclosure Commissioners for England and Wales of all Sums to be paid or retained out of the Compensation Fund; and after making certain other Provisions, including Provisions for giving Notice for Claims to be sent in, and for hearing Claims and Objections thereto, it is enacted that the Third Commissioner shall not allow a Claim to Compensation in any of the following Cases; that is to say,

1. Unless the Claim was made before the Commissioners under

"The Isle of Man Disafforesting Act 1860," and was disallowed by them on the Ground that the Terms of the Fifth Section of such Act precluded them from entertaining the same; 2. Or, in case where no Claim was made before the Commissioners, unless the Claimant was precluded or deemed himself to be precluded from making such Claim by reason of any Decision of the Commissioners to the Effect mentioned in the First Part of that Section; 3. Unless there is a Licence in existence, or sufficient Proof of a Licence having been granted, and not cancelled or disallowed by the Great Inquest, for the Inclosure of the Land in respect of which the Claim is made, and unless the Claimant or Person through whom he claims has been entered as the Tenant thereof in the Lords Books, and has paid Rent for the said Land to the Lord; 4. Unless the Boundaries of the Land in respect of which the Claim is made can be identified with the Description in the Licence, to the Satisfaction of the Third Commissioner; and, 5. Where any other Land than that in respect of which the Claim is made has been already inclosed under the Licence or Licences upon which the Claim is founded; and it is further enacted that the Decisions of the Third Commissioner upon all Claims to Compensation, and all other Matters referred to him under the Act now in recital, shall be final and conclusive; and it is further enacted that the Third Commissioner shall ascertain and decide what, at the Time of the Promulgation of "The Isle of Man Disafforesting Act, 1860," was the fair and reasonable marketable Value of the respective Interests of the several Persons whose Claims to Compensation may be established under the Act now in recital in the Lands referred to in their respective Claims, as such Lands and Interests then existed, and shall pay the Amount of the Value of each Claim to the Claimant, or to any Person legally entitled under him, out of the Compensation Fund, and shall apply the Balance, if any, of such Fund in manner following, that is to say, One Moiety thereof shall be paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the other Moiety shall be applied by the Third Commissioner as Part of the Second Award Fund mentioned in the recited Act; and in case it shall happen that the Compensation Fund, after Payment of the Remuneration, Costs, and Expenses by the Act now in recital directed to be defrayed thereout, is not sufficient to satisfy the aggregate Value of the Claims to Compensation allowed under such Act, such Fund, after such Payments thereout as aforesaid, shall be apportioned and be divided by the Third Commissioner between and among the Claimants whose Claims are allowed by him according to the Value of their respective Claims, and such apportioned Parts shall be paid accordingly; and it is further enacted that, in order to provide the Fund in the Act now in recital called the Compensation Fund, to defray the Remuneration, Costs, and Expenses by such Act directed to be paid or retained thereout, and to answer such Claims as may be established before the Third Commissioner, there shall, subject as in the same Act mentioned, be raised such Sums, not exceeding in the whole the Sum of Five thousand Pounds, as may be necessary for the Purposes aforesaid; and it is further enacted that the Compensation Fund shall be raised in the Manner following, that is to say, One Moiety thereof shall, if the Parliament of the United Kingdom of Great Britain and Ireland shall so direct, be paid to the Third Commissioner by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues out of the Capital of Her Majesty's Land Revenue, and the other Moiety shall be raised and paid to the Third Commissioner by the Sale by the said Commissioner, in manner by that Act provided, of a Part of the Land which in the first-recited Act is described as the Commoners Allotment: Provided always, that no larger Sum than Two thousand five hundred Pounds in the whole shall be paid to the Compensation Fund by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and that no larger Sum than Two thousand five hundred Pounds in the whole shall be paid to the Compensation Fund by the Third Commissioner, out of the Proceeds of Sale of Part or Parts of the said Commons Allotment; and that if, in order to raise the Moiety of the Compensation Fund to be raised out of the Proceeds of Sale of Part or Parts of such Allotment, any Sale or Sales shall take place which shall realize a net Sum exceeding in the whole Two thousand Five hundred Pounds, the Amount of such Excess shall be applied by the Third Commissioner as Part of the Second Award Fund, under the Provisions of the said first-recited Act; and that the said Commissioner shall return to the Lieutenant-Governor, for the Information of the Public, an Account of all Monies which may have been received by him from the Sale of Lands under the Authority of the same Act, and of the Mode in which the same shall have been disbursed and applied; and the said Act of Tynwald now in recital contains Provisions relative to the Sale of Part of the Commoners Allotment to raise One Moiety of the Compensation Fund for making of the Award of the Third Commissioner, and for saving of Rights under the first receited Act: And whereas it is expedient that the Commissioners of Her Majesty's Woods, Forests, and Land Revenues should, with the Consent of the Commissioners of Her Majesty's Treasury, be authorized to pay, out of the Capital of Her Majesty's Land Revenue, such Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand five hundred Pounds, as may be necessary to provide One Moiety of the Compensation Fund mentioned in the second-recited Act of Tynwald: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Commissioners of Woods, with Consent of the Treasury, may make Payments out of the Capital of the Land Revenue, not exceeding 2,500*l.*, to meet Claims mentioned in second-recited Act of Tynwald.

1. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues may, with the previous Consent of the Commissioners of Her Majesty's Treasury, pay out of the Capital of Her Majesty's Land Revenue such Sums, not exceeding in the whole the Sum of *Two thousand five hundred Pounds*, as may be necessary to provide One Moiety of the Compensation Fund mentioned in the second-recited Act of Tynwald; and a Statement of every or any Payment so made, and of the Mode in which the same has been applied, shall be contained in the annual Report to Parliament which shall be first made by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues after such Payment takes place.

Isle of Man (Disafforestation) Compensation.

A

BILL

To authorize certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the Isle of Man.

(Prepared and brought in by Mr. Dodson, Mr. Peel, and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed,*
10 *March* 1865.

[Bill 67.]

Under 1 oz.

A

B I L L

TO

Amend the Law relating to future Judgments in Ireland, and to assimilate it to the Law relating to Judgments in England.

Preamble.

WHERRAS it is desirable to assimilate the Law affecting Freehold and Leasehold Estates in Ireland to that affecting purely Personal Estates in respect of future Judgments, Statutes, and Recognizances: Therefore, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Judgment Mortgages abolished as regards future Judgments.

1. No Person shall be entitled, in respect of any Judgment to be entered up after the passing of this Act, to register an Affidavit under the Provisions of the Act passed in the Fourteenth Year of the Reign of Her Majesty Queen Victoria, Chapter Twenty-nine, or of the Act passed in the Twenty-second Year of the Reign of Her Majesty, Chapter One hundred and five, amending the same.

Interpretation of Terms.

2. In the Construction of this Act the Term "Judgment" shall be taken to include registered Decrees and Orders of the Court of Equity and Bankruptcy and other Orders having the Operation of a

Judgment, and the Term "Land" shall be taken to include all Hereditaments, corporeal or incorporeal, or any Interest therein, and the Term "Debtor" shall be taken to include Husbands of married Women, Assignees of Bankrupts, Committees of Lunatics, and the Heirs or Devisees of deceased Persons.

Sheriff empowered to deliver Execution of Land to future Judgment Creditors. 3 & 4 Vict. c. 105. s. 19.

3. It shall be lawful for any Creditor under a Judgment, Statute, or Recognizance to be entered up after the *passing of this Act*, and entitled to have Execution thereof, to sue out a Writ directing the Sheriff or other Officer to whom such Writ shall be directed to make and deliver Execution unto the Party in that Behalf suing of all such Lands, Tenements, Rectories, Tithes, Rents, and Hereditaments, including Lands and Hereditaments which may be of Copyhold Tenure, as the Person against whom Execution is so sued or any Person in trust for him shall have been seised or possessed of at the Time of entering up the said Judgment or at any Time afterwards, or over which such Person shall at the Time of entering up such Judgment or at any Time afterwards have any disposing Power which he might without the Assent of any other Person exercise for his own Benefit.

New Writs to be framed.

4. Such new or altered Writs or other Process of Execution shall be sued out of the Courts of Law and Equity and the Court of Bankruptcy and Insolvency in Ireland as may by such Courts respectively be deemed necessary or expedient for giving Effect to the Provisions herein-before contained, and in such Forms as the Judges of such Courts respectively shall from Time to Time think fit to order, and the Execution of such Writs shall be enforced in such and the same Manner as the Execution of Writs of Execution is now enforced, or as near thereto as the Circumstances of the Cases will admit.

Writs of Execution to be registered. 23 & 24 Vict. c. 38. 27 & 28 Vict. c. 112.

5. Every Writ or other Process of Execution of any such Judgment, Statute, or Recognizance to be entered up after the *passing of this Act*, by virtue whereof any Land shall have been actually delivered in Execution as aforesaid, shall be registered by a Memorandum or Minute referring to the said Judgment, Statute, or Recognizance, so as to connect the Registration of the Writ or Process of Execution therewith, such Memorandum or Minute to be impressed with a Stamp Duty of *Five Shillings*, and to be left with the Registrar of Deeds, or his Deputy, who shall forthwith enter the Particulars in a Book in alphabetical Order by the Name of the Debtor against whom such Writ or Process issued, and also the Year and the Day of the Month when every such Memorandum or Minute shall be left with him: And all Persons shall be at liberty to search the same Book, in addition to all the other Books in the Office for the Registry of Deeds in Ireland, on Production of the proper Requisition for Liberty to search in the Books of the said Office.

Future Judgments not to affect Land until delivered in Execution.

6. No Judgment, Statute, or Recognizance to be entered up after the *passing of this Act* shall affect any Land (of whatever Tenure) in favour of Her Majesty, Her Heirs or Successors, or any other Person, until such Land shall have been actually delivered in Execution by virtue of a Writ or other lawful Authority, in pursuance of such Judgment, Statute, or Recognizance.

Creditor to whom Land delivered in Execution entitled to obtain summary Order from Court of Chancery for Sale.

7. Every Creditor to whom any Land of his Debtor shall have been actually delivered in execution, by virtue of any such Judgment, Statute, or Recognizance, and whose Writ or other Process of Execution shall be duly registered, shall be entitled forthwith, or at any Time afterwards while the Registry of such Writ or Process shall continue in force, to obtain from the Court of Chancery, upon Petition in a summary Way, an Order for the Sale of his Debtor's Interest in such Land, and every such Petition may be served upon the Debtor only; and thereupon the Court shall direct all such Inquiries to be made as to the Nature and Particulars or the Debtor's Interest in such Land, and his Title thereto, as shall appear to be necessary or proper; and in making such Inquiries, and generally in carrying into effect such Order for Sale, the Practice of the said Court with respect to Sales of Real Estates of deceased Persons for the Payment of Debts shall be adopted and followed, so far as the same may be found convenient or applicable.

Where there are other Creditors Notice of Sale to be served upon them.

8. If it shall appear on making such Inquiries, that any other Debt due on any Judgment, Statute, or Recognizance is a Charge on such Land, the Creditor entitled to the Benefit of such Charge (whether prior or subsequent to the Charge of the Petitioner) shall be served with Notice of the said Order for Sale, and shall after such Service be bound thereby, and shall be at liberty to attend the Proceedings under the same, and to have the Benefit thereof; and the Proceeds of such Sale shall be distributed among the Persons who may be found entitled thereto according to their respective Priorities.

As to Parties claiming Interest in Land.

9. Every Person claiming any Interest in such Land, through or under the Debtor, by any Means subsequent to the Delivery of such Land in Execution as aforesaid, shall be bound by every such Order for Sale, and by all the Proceedings consequent thereon.

Receiver may be appointed in special Cases.

10. If it shall appear to the Court that an immediate Sale of the Debtor's Interest in such Land would be inexpedient, it shall be lawful for the Court to make an Order appointing a Receiver over such Land, or appointing the Judgment Creditor of the Debtor such Receiver, reserving however the Right at any Time to vary or discharge such Order, and to proceed to a Sale of such Land.

Judgment Office consolidated with Registry of Deeds.

11. Whereas by the Operation of the said Act passed in the Fourteenth Year of the Reign of Her Majesty the Queen, Chapter Twenty-nine, the Duties of the Office of the Registrar of Judgments have been diminished, and by the Operation of this Bill those Duties will be further diminished, and it is expedient that a Search in the Office of the Registrar of Deeds should as far as possible disclose every Claim or Demand by which Land to be hereafter sold can be affected: Be it enacted, That the Office of the Registrar of Judgments, established under the Act passed in the Eighth Year of Her Majesty the Queen, Chapter Ninety, shall on the *Thirtieth Day of September One thousand eight hundred and sixty-five* be finally closed and consolidated with the Office of the Registrar of Deeds; and thenceforth the Registrar of Judgments, his Clerks and Assistants, shall cease to act as such, and their respective Offices shall be thenceforth abolished, and on that Day the Books, Certificates, and other Documents then in the Office of the Registrar of Judgments shall be removed to the Office of the Registrar of Deeds, and thenceforth the Registrar of Deeds for the Time being shall discharge the Duties theretofore performed by the Registrar of Judgments; and the Registrar of Deeds shall have as full Jurisdiction and Powers for all official Purposes, and be subject to the like Liabilities in respect of such Duties as the Registrar of Judgments enjoyed or was subject to before the passing of this Act.

Arrangements to be made and Rules to be framed for effecting such Consolidation of said Offices.

12. It shall be lawful for the Lord Chancellor and Master of the Rolls for the Time being of the Court of Chancery in Ireland (by and with the Assent of the Treasury) and they are hereby required to make such Arrangement as they shall deem requisite for the Consolidation of the Office of the Registrar of Judgments with the Office of the Registrar of Deeds, and for providing a proper Place in the Office for the Registry of Deeds, for the Reception of Documents now kept in the Office of the Registrar of Judgments, and for transferring the Registrar of Judgments, his Clerks and

Assistants, or such of them as they shall think fit, to the Office of the Registrar of Deeds, and for defining their Duties and their Salaries, and for regulating the Continuance in the Office of the Registrar of Deeds of any Business heretofore transacted in the Office of the Registrar of Judgments, and for making new Indexes of the Judgments and other Matters registered in the Office of the Registrar of Judgments, and for making Alterations in the Forms of the Indexes in the Office of the Registrar of Deeds, and generally for giving effect to the Purposes and Provisions of this Act; and for that Purpose they may frame and promulgate such Forms, Rules, and Orders as they shall consider requisite and expedient, which Forms, Rules, and Orders, when made and promulgated, shall be of as much Force as if the same had been specially enacted herein.

Provision for Protection of Heirs and Executors against existing unregistered Judgments. See 23 & 24 Vict. c. 38. s. 3.

13. And whereas, by an Act passed in the Third Year of the Reign of His late Majesty King George the Second, intituled "An "Act for the better Discovery of Judgments in the Courts of "King's Bench, Common Pleas, and Exchequer at Dublin, and "for the greater Security of Purchasers," it was enacted, that Judgments should as against Purchasers or Mortgagees be Judgments only from the Time of their being docketed and entered in Books in the Manner thereby provided, and should not have any Preference against Heirs, Executors, or Administrators in the Administration of their Ancestors, Testators, or Intestates Estates, but from the Time aforesaid: And whereas by several later Acts, including the said Act passed in the Eighth Year of Her Majesty Queen Victoria, Chapter Ninety, Judgments are required to be registered with more Particulars than were required by the said recited Act; and it is by the said Act passed in the Eighth Year of Her Majesty Queen Victoria enacted, that Judgments not so registered shall not affect any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors unless and until the same shall be registered in manner thereby required; and in obedience to a Direction in the said last-mentioned Act contained, the Dockets existing under the said first-recited Act have been finally closed: And whereas the said several later Acts do not expressly enact that Judgments not docketed as thereby required shall not have any Preference against Heirs, Executors, or Administrators in their Administration of their Ancestors, Testators, or Intestates Estates, in consequence whereof Doubts have arisen whether or not such Heirs, Executors, or Administrators have in respect to existing Judgments lost the Protection which they enjoyed under the said first-recited Act; and it is expedient that such Doubts should be removed: Be it therefore enacted and declared, That no

Judgment which has been entered up before the passing of this Act, which has not already been or which shall not herein-after be entered or docketed under the several Acts now in force, and which passed subsequently to the said Act of the Third Year of King George the Second, so as to bind Lands, Tenements, or Hereditaments as against Purchasers, Mortgagees, or Creditors, shall have any Preference against Heirs, Executors, or Administrators in their Administration of their Ancestors, Testators, or Intestates Estates.

Judgments as against Heirs and Executors to be re-registered. 23 & 24 Vict. c. 38. s. 4.

14. No Judgments entered upon before the *passing of this Act* which, since the passing of the said Act passed in the Eighth Year of the Reign of Her Majesty, Queen Victoria, Chapter Ninety, have been registered under the Provisions therein contained, or which shall hereafter be registered under the Provisions contained in this Act, shall have any Preference against Heirs, Executors, or Administrators in the Administration of their Ancestors, Testators, or Intestates Estates unless at the Death of the Testator or Intestate *Five Years* shall not have elapsed from the Date of the Entry thereof on the Docket, or from the only or last Re-registry thereof, as the Case may be, which Re-registry from Time to Time is hereby authorized to be made in manner directed by the said Act of the Thirteenth and Fourteenth Years of the Queen, Chapter Twenty-nine, Sections Three and Four, as modified by the Provisions herein-before contained in reference to the Office of the Registrar of Judgments; but it shall be deemed sufficient to secure such Preference as aforesaid if such a Memorandum as was required in the first instance is again left with the proper Officer within *Five Years* before the Death of the Testator or Intestate although more than Five Years shall have expired by Effluxion of Time since the last previous Registration before such last-mentioned Memorandum or Minute was left, and so toties quoties upon every Re-registry.

Recognizances and Crown Debts to be re-registered every Five Years. 22 & 23 Vict. c. 35. s. 22.

15. From and after the *passing of this Act,* the Provisions for Re-registry of Judgments, Decrees, or Orders, Rules, or Orders contained in the said Act of the Thirteenth and Fourteenth Years of the Queen, Chapter Twenty-nine, Section Four, as modified by the Provisions of this Act in reference to the Office of the Registrar of Judgments, shall extend and apply to every such Judgment, Statute, Recognizance entered before the passing of this Act, and to every such Inquisition, Obligation, Specialty, or Acceptance of Office, as is by Section Eleven of the said Statute passed in the Eighth Year of Queen Victoria, Chapter Ninety, required to be registered; so that it shall be obligatory on the Crown in order to bind the Land of its Debtors or Accountants as against Purchasers, Mortgagees, or Creditors becoming such after the passing of this

Act to re-register in the Office of the Registrar of Deeds in like Manner as it will be obligatory on a private Person, and so that Notice of any such Judgment, Recognizance, Inquisition, Obligation, Specialty, or Acceptance of Office not duly re-registered shall not avail against Purchasers, Mortgagees, or Creditors becoming such after the passing of this Act as to Land; and this Provision shall apply to every such Judgment, Statute, Recognizance, Inquisition, Obligation, Specialty, or Acceptance of Office as has been registered under the Provisions contained in the said Act passed in the Eighth Year of the Reign of Queen Victoria, Chapter Ninety, or under the Provisions contained in the Act passed in the Twelfth Year of the Reign of the Queen, Chapter One hundred and twenty, Section 13, or which shall after the passing of this Act be registered in the Office of the Registrar of Deeds.

Compensation Clause.

16. *Every Person holding any Office or Employment in the Offices of Her Majesty's Court of Chancery or Common Law in Ireland who shall by the Operation of this Act be deprived of any Emolument, shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Twelve Calendar Months after the* passing of this Act, *and it shall be lawful for the said Commissioners, having regard to the Advantages, if any, accruing to such Claimant from the Operation of this Act, and to all the other Circumstances in each Case, to award such Compensation to such Officer as they shall think just, the same to be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.*

Extent of Act.

17. This Act shall extend to Ireland only.

Judgments (Ireland).

A

B I L L

To amend the Law relating to future Judgments in Ireland, and to assimilate it to the Law relating to Judgments in England.

(*Prepared and brought in by*
Mr. Whiteside and Mr. George.)

Ordered, by The House of Commons, *to be Printed,*
13 *March* 1865.

[Bill 68.]

Under 1 *oz.*

A

BILL

TO

Declare and amend the Law in relation to the keeping together and Discharge of Juries in Criminal Cases.

Preamble.

WHEREAS it is expedient to declare and in some respects to amend the Law in relation to the keeping together and Discharge of Juries in Criminal Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In a Criminal Trial a Jury shall not separate without Leave, but such Separation shall not invalidate Verdict.

1. A Jury sworn on the Trial of a Criminal Case shall not, after the Accused has been given in Charge to them, and before Verdict, separate without the Leave or Order of the Judge, but no Objection shall be taken to a Verdict after the same has been pronounced on the Ground that before their Verdict the Jury had separated without such Leave or Order.

If a Jury separates without Leave, Judge may swear a new Jury, or continue

2. If before Verdict it shall appear that a Jury sworn on the Trial of a Criminal Case has separated without such Leave as aforesaid, the Judge may, at his Discretion, either continue the Trial with the Jury already empannelled, or discharge the same, and swear the Trial with the original Jury, and may fine the Jurors.

swear another in its Stead, and in either Case the Judge may impose such Fines as he shall think proper on all or any of such Jurors who shall have so separated without such Leave.

When a Trial lasts more than a Day, the Judge may either keep together the Jury, or allow them to separate, and if kept together he may keep them at an Hotel or in the Court House, and he may send a County Jury to an Hotel in a City adjoining.

3. In case the Trial of a Criminal Case shall last more than One Day, the Judge may allow the Jury to separate, or may keep them together, at his Discretion, and if kept together he may, at his Discretion, direct the Sheriff to keep them together in the Court House where the Trial is being held, or at some Hotel convenient thereto, and on a County Trial, where a County Court House is situated in a County of a City, he may direct the County Jury to be removed to and kept in an Hotel in the said County of the City; and for the Purpose of removing and keeping together said Jury the County Sheriff shall have and exercise in the said County of the City all the Power and Authority vested in him for keeping together a Jury in his own Bailiwick.

Before a Jury shall retire to consider their Verdict, a Judge may, in certain Cases, discharge a Jury.

4. After a Party accused has been given in Charge to a Jury on the Trial of any Criminal Case, and before the Jury have retired to consider their Verdict, it shall be lawful for the Judge to discharge the Jury then empannelled, if the Judge shall consider that a Case of evident Necessity for such Discharge has arisen, or shall deem it right for the Purposes of Justice to order such Discharge.

In certain Cases he must certify the Cause of Discharge to the Chancellor.

5. In case any Judge shall order a Jury empannelled on the Trial of a Criminal Case to be discharged, after a Party accused has been given in Charge to a Jury, and before the Jury have retired to consider their Verdict, for other Cause than the sudden Illness of a Juror, a Witness, or the Accused, he shall within *Three Days* after such Discharge forward by Post, if in England to the Lord Chancellor of England, or if in Ireland to the Lord Chancellor of Ireland, a Certificate under his Hand, stating the Name of the Accused, and the Charge for which he was on Trial, and the Cause of such Discharge, which Certificate shall be subsequently filed in England in the Court of Queen's Bench at Westminster, and in Ireland in the Court of Queen's Bench at Dublin.

If a Judge becomes unable to continue a Trial, the Jury shall be discharged.

6. If, after a Party accused has been given in Charge to a Jury on the Trial of any Criminal Case, and before the Jury have retired to consider their Verdict, the Judge, from Illness or other unavoidable Necessity, shall become unable to continue the Trial, the Jury then empannelled shall be discharged.

7. After a Jury on the Trial of a Criminal Case has retired to consider their Verdict, it shall be lawful for the Judge, if he shall so think fit, to order the Jury to be supplied with reasonable Food and Refreshment, and the Sheriff shall provide the same accordingly.

A Jury may be ordered Refreshment after they have retired to consider their Verdict.

8. If, after a Jury on the Trial of a Criminal Case has retired to consider their Verdict, from the Illness of a Juror, or other Cause other than a Disagreement as to the Verdict, the Judge shall consider a Case of evident Necessity is made out for the Discharge of the Jury before Verdict, it shall be lawful for the Judge, at his Discretion, to discharge the Jury.

After a Jury has retired they may be discharged in case of Necessity.

9. In case on the Trial of any Criminal Case a Jury cannot agree to a Verdict, after having been kept together for a reasonable Time to consider their Verdict, it shall be lawful for the Judge to discharge the Jury, if he shall so think fit; and in all Cases the Judge shall decide what is reasonable Time, having regard to the Nature of the Case, and the reasonable Probability of the Jury agreeing to a Verdict by being kept together for any longer Period.

If a Jury cannot agree, the Judge may discharge them.

10. From the Decision of a Judge as to the Discharge of a Jury on the Trial of any Criminal Case there shall be no Appeal.

The Judge's Decision on the Discharge of a Jury shall be final.

11. In all Cases where a Jury shall be discharged, the Trial already commenced shall be considered null and void, and it shall be lawful to try again the Party accused.

After Jury discharged the Party accused may be tried again.

12. In the Construction of this Act the Words "Trial of a Criminal Case" shall be construed to include all Trials for Treason, Felony, and Misdemeanor; the Word "Judge" shall be construed to mean any Party presiding at a Trial when a Jury shall be empannelled to try the Accused; and the Word "Lord Chancellor" shall include the Lord Keeper or Lords Commissioners of the Great Seal for the Time being.

Construction of Words.

13. This Act shall not extend to Scotland.

Act not to extend to Scotland.

Juries in Criminal Cases.

A

BILL

To declare and amend the Law in relation to the keeping together and Discharge of Juries in Criminal Cases.

(Prepared and brought in by
Sir Colman O'Loghlen and Mr. Longfield.)

Ordered, by The House of Commons, *to be Printed,*
16 *February* 1865.

[Bill 26.]

Under 1 *oz.*

substituted for the Bill
already delivered.

A

BILL

TO

Amend and define certain discretionary Powers of Justices of the Peace.

Preamble. 23 Vict. c. 27. s. 40.

WHEREAS by the Fortieth Section of an Act passed in the Twenty-third Year of Her Majesty, Chapter Twenty-seven, commonly known as the "Refreshment Houses "Act," it was enacted that "every Person found drunk in any "Street or public Thoroughfare, and who while drunk is guilty of "any riotous or indecent Behaviour, shall upon summary Con-"viction before Two Magistrates be liable to a Penalty of not more "than Forty Shillings for every such Offence, or may be com-"mitted, if the Justices or Magistrates before whom he is convicted "shall think fit, instead of inflicting on him any pecuniary Penalty, "to the House of Correction or Common Gaol for any Time not "more than Seven Days:" And whereas by the Forty-second Section of the said Act it was enacted as follows, "And with regard "to all Penalties incurred under this Act, except the Penalties "herein denominated Excise Penalties, all the Provisions contained "in the Act passed in the Eleventh and Twelfth of Her present "Majesty, Chapter Forty-three, relating to the Proceeding for the "Recovery of Penalties by summary Conviction, and to Appeals "against such Convictions, and the levying and enforcing of "Penalties, and the Costs of such Proceedings, shall be applied

23 Vict. c. 27. s. 42.

"and

11 & 12 Vict. c. 43. s. 22.

" and put in force in relation to the Penalties by this Act imposed:" And whereas by the Twenty-second Section of the Act of the Eleventh and Twelfth Year of Her Majesty, Chapter Forty-three, commonly known as the "Summary Conviction and Orders Act," after reciting that by some Acts of Parliament Justices of the Peace are authorized to issue Warrants of Distress to levy Penalties or other Sums recovered before them by Distress and Sale of the Offender's Goods, but no further Remedy is provided in case no sufficient Distress be found whereon to levy such Penalties, it was enacted " in all such Cases, and in all Cases of Convictions or " Orders where the Statute on which the same are respectively " founded provides no Remedy in case it shall be returned to a " Warrant of Distress that no sufficient Goods can be found, it " shall be lawful for the Justice, if he shall think fit, to commit " the Defendant to the House of Correction or Common Gaol for " any Term not exceeding Three Months, unless such Sum and " Costs be sooner paid:" And whereas great Hardship is suffered by reason of Persons convicted of Penalties under the first-recited Act being liable under the aforesaid Summary Conviction and Orders Act to be imprisoned for any Term not exceeding Three Months: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In Convictions under 23 & 24 Vict. c. 27. s. 40. when Penalty imposed and not paid, no consequent Committal to exceed Seven Days.

1. That in all Cases of Conviction for Nonpayment of Penalties founded upon the Fortieth Section of the Twenty-third and Twenty-fourth Victoria, Chapter Twenty-seven, where it shall be made to appear to the said Justice or Justices that the Party so convicted hath no sufficient Goods whereon to levy a Distress, and that he is unable to pay or refuses to pay, it shall not be lawful to commit the Defendant to the House of Correction or Common Gaol for any Period exceeding *Seven Days.*

already delivered.

Justices of the Peace (Discretionary Powers).

A

BILL

To amend and define certain discretionary Powers of Justices of the Peace.

(Prepared and brought in by
Sir Charles Douglas and Mr. Edward Matthew
Fenwick.)

Ordered, by The House of Commons, *to be Printed,*
13 *March* 1865.

[Bill 69.]

Under 1 *oz.*

Justices of the Peace Procedure Bill.

ARRANGEMENT OF CLAUSES.

PRELIMINARY.

Preamble.

Sect.

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2. Extent of Act.
3. Commencement of Act.
4. Interpretation of Terms.
5. Division of Act.

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6. Local Jurisdiction.
7. Offences on the Boundaries of Counties, &c., or during a Journey, &c.
8. Jurisdiction of County and Borough Justices in Boroughs.
9. Justices where summary Offence committed to have Jurisdiction.
10. Justices Jurisdiction over indictable Offences.
11. Justices of the Quorum abolished.
12. Sittings of Justices to be Petty Sessions, &c.
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14. Interested Justices disqualified in certain Cases.
15. Number of Justices necessary in Cases in Part VIII.
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17. The Lord Mayor and Aldermen of London may act alone in certain Cases.

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19. Previous Appointments to continue.
20. Clerk to appoint a Deputy.
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22. Clerks disqualified from conducting Prosecution, &c., in certain Cases.

23. Clerk to have an Office.
24. Seal for each Division to be provided.
25. County, &c., to supply Seal and certain Books to Clerks to Justices.
26. Clerks to Justices to be entitled to Fees in First Schedule.
27. Justices Clerks Fees in the Metropolis.
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29. Clerk taking greater or other Fees than allowed.
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32. Clerk to Justices may be paid by Salary in lieu of Fees, or vice versâ.
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41. By whom Complaints and Charges may be made.
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44. Manner of issuing Summonses or Warrants.
45. How Summonses to be served.

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92. Warrant to arrest a Party against whom an Indictment is found.
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98. Mode of Proceeding before Justices in the before-mentioned Cases.
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100. Justices not to adjudicate under certain Circumstances.
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102. Proceedings under this Part of Act a Bar to further Proceedings.
103. Restitution of Property stolen, &c.
104. Convictions to be returned to Quarter Sessions.
105. Justices may order Payment of Expenses of Prosecutions.
106. References to 10 & 11 Vict. c. 82. and 18 & 19 Vict. c. 126. to be to this Part of Act.

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109. Justices annually in December to appoint the Days of holding Special Sessions for the Year ensuing.
110. As to Special Sessions held only occasionally.
111. Notices now given to Petty Constables to be given to Clerk to Justices, &c.
112. Proceedings under 7 & 8 G. 4. c. 31. to be conducted by Clerk to Justices instead of High Constables.
113. Mode of summoning and giving Notice of Special Sessions.
114. Persons to obey Precepts of Clerk.

115. Fees to Clerk for summoning Special Sessions, &c., to be a Charge on County or Borough Fund.
116. What Justices may attend Special Sessions.
117. Where Special Sessions holden.
118. Constitution of Special Sessions.
119. What Business to be done at Special Sessions.
120. Orders, &c., of Special Sessions to be signed by Two Justices only.
121. Special Sessions may be adjourned by Justices or Clerk.
122. Proceedings to be entered in a Book.
123. Home Office may make Rules of Practice for Special Sessions.

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124. To whom Warrants to be addressed.
125. By whom and how Warrants to be executed.
126. Backing Warrants out of England.
127. When Warrants for indictable Offences, &c., may be executed.
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143. Act not to extend to Revenue and other Cases, except &c.
144. Home Office to make Table of Fees for Service of Summonses, &c., by Constables.
145. Chief Magistrate of Bow Street to be a Justice for Berks without Qualification.
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First Schedule.—Table of Fees to be taken by Clerks to Justices.
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COMPARATIVE TABLE OF REPEALED ACTS AND NEW PROVISIONS.

Repealed Acts and Nature of Provisions.	Re-enactments or new Provisions, or Reasons for Omission.
3 Jac. 1. c. 10. Sects. 1. 3. Distress on Offender's Goods for Costs of conveying him to Prison.	Omitted as Power never exercised, but Sect. 75, Paragraph 5, allows these Costs to be added to Penalty in summary Cases.
27 G. 2. c. 3. Costs of conveying Offender to Gaol to be paid by County or (in Middlesex) by Overseers.	Omitted, as Conveyance of Prisoners now comes out of Police Rates.
9 G. 4. c. 61. s. 15. Fees to Justices Clerks for Alehouse Licences, &c.	These Fees provided for in Sect. 26. and Table, First Schedule.
5 & 6 W. 4. c. 50. (Highway Act), s. 110. Fees to Justices Clerks.	Same.
5 & 6 W. 4. c. 76. (Municipal Corporations):	
s. 111. Jurisdiction of Justices	Sect. 8.
s. 124. Justices Clerks Fees	Sect. 26. and First Schedule, Table of Fees.
s. 126. Application of Penalties	Sect. 80, Paragraph 7.
s. 128. Witnesses	Sect. 43.
s. 129. Imprisonment for Penalties	Sect. 71.
s. 130. Form of Conviction	Sect. 69.
s. 131. Appeal to Quarter Sessions	Sects. 76 and 77.
s. 132. No Certiorari, &c.	Sect. 85.
2 & 3 Vict. c. 47. s. 77. Imprisonment in default of Payment of Penalties (Metropolitan Police Courts).	Sect. 71.
2 & 3 Vict. c. 71. (Metropolitan Police Courts):	
s. 17. Warrants need not be backed	Sect. 125, Paragraph 3.
s. 19. Summonses on Complaints	Sect. 44.
s. 20. Service of Summons	Sect. 45.
s. 21. Warrant	Sect. 44.
s. 22. Witnesses	Sect. 46.
s. 31. Costs may be awarded	Sect. 70, Paragraph 7.
s. 32. Amends for frivolous Informations	Sect. 70, Paragraph 29.
s. 33. Informers compounding Informations	Sect. 70, Paragraph 30.
s. 34. Informer's Share of Penalties	Sect. 80, Paragraph 4.
s. 35. Mitigation of Penalties	Sect. 70, Paragraph 18.
s. 42. Justices Clerks Fees	Sects. 26, 27, 28, and First Schedule.
s. 43. Table to be hung up	
s. 44. Information and Time	Sect. 39.
s. 45. Recovery of Penalties	Sects. 70 and 71.
s. 48. Forms of Information and Conviction.	Sects. 42 and 68.

Repealed Acts and Nature of Provisions.	Re-enactments or new Provisions, or Reasons for Omission.
2 & 3 Vict. c. 71 (Metropolitan Police Courts)—*cont.*	
s. 49. Conviction not to be quashed - -	Sect. 85.
s. 50. Mode of appealing - - -	Sects. 76 and 77.
2 & 3 Vict. c. xciv. (City Police Act) :	
s. 97. Recovery of Fines, &c. - -	Sect. 70.
s. 98. Scale of Imprisonment - -	Sect. 71.
s. 99. Conviction and Form - -	Sect 69.
s. 100. Summons for Penalties - -	Sects. 43, 44.
s. 101. Mode of appealing - -	Sects. 76, 77.
5 & 6 Vict. c. 44. s. 3. Fees for Alehouse temporary Authority to sell.	In General Table, First Schedule. See Sect. 26.
5 & 6 Vict. c. 109. (Parish Constables), s. 17, Justices Clerks and Constables Fees.	Same [and Sect. 144, as to Constables Fees].
6 & 7 Vict. c. 68. s. 6. Justices Clerks Fees for Theatre Licence.	Same.
7 & 8 Vict. c. 33. s. 7. Notice from Justice convening Special Sessions.	Omitted, as another Mode provided in Sect. 113, Paragraph 5.
10 & 11 Vict. c. 82. Punishment of Juvenile Offenders for indictable Larcenies.	All Provisions necessary now contained in Part X. ; the Special Preliminary Procedure Provisions omitted as unnecessary.
11 & 12 Vict. c. 42. (Jervis's Act containing Procedure as to Indictable Offences).*	* This Act being referred to for Procedure in certain Acts not proposed to be repealed, Sect. 133, Paragraph 2, substitutes the new Provisions for it.
s. 1. What Offences and Issue of Summons.	Sects. 10, and 40, 41, 42, 43, 44.
s. 2. Warrant for Offences at Sea -	Same.
s. 3. do. on Indictment found -	Sect. 92.
s. 4. Issue, &c., of Warrant on Sunday -	Sect. 127.
s. 5. Justices of adjoining Counties, where to act.	Sect. 6.
s. 6. Justices may act in City, &c. -	
s. 7. or for detached Parts - -	
s. 8. Making Charge and Issue of -	Sects. 42, 45.
s. 9. Process for Offence - -	
s. 10. Direction of Warrants, &c. - -	Sects. 124, 125.
s. 11. Backing Warrants in England -	Omitted, but see Sect. 125, Paragraph 3.
s. 12. do. Ireland -	Sect. 126.
s. 13. do. Channel Isles	
s. 14. s. 15 do. Scotland -	
s. 16. Witnesses may be summoned, &c. -	Sect. 46.
s. 17. Examination of Witnesses - -	Sect 88, Paragraphs 1, 2, 3, and 11.
s. 18. Statement of Accused - -	Sect. 88, Paragraph 4.

Repealed Acts and Nature of Provisions.	Re-enactments or new Provisions, or Reasons for Omission.
11 & 12 Vict. c. 42 (Jervis's Act)—*cont.*	
s. 19. Court need not be open	Sect. 56.
s. 20. Binding over Witnesses	Sects. 89, 93, 130, Paragraph 10.
s. 21. Remanding Accused	Sects. 48, 50, 51, 53.
s. 22. Where Offence committed in another County.	Sect. 88, Paragraphs 9 and 10.
s. 23. Admitting Accused to Bail	Sect. 90.
s. 24. Discharge when bailed	
s. 25. Discharge or Committal of Accused.	Sect. 88, Paragraph 8.
s. 26. Conveyance of Prisoner	Sect. 128, Paragraph 8.
s. 26. Costs on County	Costs unnecessary as Conveyance undertaken by Police Constabulary. See Section 88, Paragraph 10.
s. 26. Offenders Money to pay Costs	Omitted as unfair to an Accused.
s. 27. Copies of Depositions for Accused.	Sect. 93. Proviso.
s. 28. Forms in Schedule	Sect. 140. and 2nd Schedule.
s. 29. Metropolitan Police and Stipendiary Magistrates may act alone.	Sect. 16.
s. 30. Lord Mayor and Aldermen of London may act alone.	Sect. 17.
s. 31. Bow Street Magistrate a Justice for Berks.	Sect. 145.
s. 32. Extent of Act	—
s. 33. Commencement of Act	
s. 34. Repeal of Acts	
s. 35. Act may be amended, &c.	
11 & 12 Vict. c. 43. (Jervis's Act containing Procedure as to summary Convictions and Orders).*	* This Act being referred to for Procedure in certain Acts not proposed to be repealed, Section 133, Paragraph 2, substitutes the new Provisions for it.
s. 1. Cases within Act	Sect. 61.
s. 1. Issue and Service of Summons	Sect. 44, 45.
s. 2. Issue of Warrant, when	Sects. 42, 44.
s. 3. Form of Warrant	
s. 3. Where Warrants may be executed.	Sect. 125, Paragraph 3.
s. 3. No Objection to Form of Warrant.	Sect. 141.
s. 3. Recognizance of Bail estreated	Sect. 131, Paragraph 3.
s. 4. Description of Property of Partners, &c.	Sect. 139.
s. 5. Aiders and Abettors	Sect. 81.
s. 6. Provisions of 11 & 12 Vict. c. 42. ss. 5, 6, 7, to extend to this Act,	Sect. 6,

Repealed Acts and Nature of Provisions.	Re-enactments or new Provisions, or Reasons for Omission.
11 & 12 Vict. c. 43. (Jervis's Act)—*cont.*	
s. 7. Witnesses may be summoned, &c.	Sect. 46.
s. 8. Complaints need not be in Writing.	Sect. 42.
s. 9. Variances between Forms and Evidence	Sect. 141, Paragraph 3.
s. 9. Recognizance of Bail estreated	Sect. 131, Paragraph 2.
s. 10. Manner of making Complaints, Oath, &c.	Sects. 41, 42.
s. 11. Time for making Complaints	Sect. 39.
s. 12. Number of Justices to hear Cases	Sect. 15, Paragraph 2
s. 12. Open Court	Sect. 56.
s. 12. Attorney for either Party	Sect. 57.
s. 13. Appearance and Non-appearance of Complainant or Defendant.	Sect. 68.
s. 14. Dismissing Case or making Conviction, &c.	Sects. 68, 69.
s. 15. Competency of Witnesses	See last Paragraph of Sect. 61. as to what are "Civil" and what "Criminal Proceedings." 14 & 15 Vict. c. 99. ss. 2, 3, will therefore apply.
s. 16. Adjournment of hearing and bailing or committing Defendant.	Sect. 68. Paragraphs 2, 3, 5, 6, Sects. 47, 50, and Sect. 30, Paragraph 3.
s. 17. Forms of Convictions and Orders	Sects. 69, 70, 140, and Second Schedule.
s. 18. Powers to award Costs	Sect. 70, Paragraph 7.
s. 19. Distress for Penalties, &c.	Sect. 70, Paragraphs 20, 22.
s. 20. Detention of Defendant till Return of Distress Warrant	Sect. 70, Paragraphs 20, 21, 22.
s. 21. Commitment in default of Distress	Sect. 71.
s. 22. Distress and Commitment where no Remedy provided for Recovery.	Same as last Two.
s. 23. Commitment where a Penalty, &c.	Sect. 70. Paragraph 2, and Sect. 71.
s. 24. Commitment where Imprisonment, only, Costs.	Sect. 70. Paragraph 8, and Sect. 71.
s. 25. Imprisonment for consecutive Periods.	Sect. 70. Paragraph 26.
s. 26. Committal for Costs on Dismissal	Sect. 70. Paragraphs 10, 20, and Sect. 71.
s. 27. After Appeal, Conviction, &c., to be enforced by Justices. Costs of Appeal.	Sect. 79.
s. 28. Payment of Penalty, &c. Defendant to be discharged.	Sect. 128. Paragraphs 4, 7.
s. 29. One Justice to commence Proceedings and enforce Conviction, &c.	Sect. 15. Paragraphs 1, 3.

Repealed Acts and Nature of Provisions.	Re-enactments or new Provisions, or Reasons for Omission.
11 & 12 Vict. c. 43. (Jervis's Act)—*cont.*	
s. 30. Quarter Sessions or Council to make Table of Justices Clerks Fees.	Sect. 26. and First Schedule.
s. 30. Clerks taking other Fees	Sect. 29.
s. 31. Application of Penalties, &c.	Sect. 80. Paragraph 7.
s. 31. Clerks to keep Accounts, &c.	Sects. 30, 31.
s. 31. Gaoler to render Accounts, &c.	Sect. 74.
s. 32. Forms in Schedule	Sect. 140, and Second Schedule.
s. 33. Metropolitan Police and Stipendiary Magistrates may act alone.	Sect. 16.
s. 34. Lord Mayor and Aldermen of London.	Sect. 17.
s. 35. Act not to extend to Revenue and other Cases.	Sect. 143, and see Sect. 61.
s. 36. Repeal of Acts	———
s. 37. Extent of Acts	
s. 38. Commencement of Act	
s. 39. Act may be amended, &c.	
12 & 13 Vict. c. 14. (Recovery of Rates)	Sect. 61. Paragraph 2.
s. 1. Power to award Costs	Sect. 70. Paragraph 7.
s. 2. Imprisonment in default of Distress	Sect. 70, para. 21, and Sect. 71.
s. 3. Distress Warrant to include several Defaulters, but Commitment separate.	Sect. 75, Paragraph 8, and Forms I. A. and J. A. in Second Schedule.
s. 4. Direction of Warrants	Sect. 124. Paragraph 3.
s. 5. Service of Summons	Sect. 45.
s. 5. Ex parte Hearing	Sect. 68.
s. 6. Payment of Sums, Proceedings to cease.	Sect. 128, Paragraphs 4, 7.
s. 7. Previous Proceedings legal	———
s. 8. Forms in Schedule to be used	Second Schedule, Forms B. B., C., I. A., and J. A.
s. 9. Limitation of Imprisonment for a Church Rate (Qy. relating to Ecclesiastical Courts).	Now in Section 71, like other Orders of Justices.
12 & 13 Vict. c. 18 s. 1. Definition of "Petty Sessions" in Boroughs.	Sect. 4, "Sessional Division" and "Petty Sessions" and Sect. 12.
13 & 14 Vict. c. 37. Extending 10 & 11 Vict. c. 82. to Offenders 14 to 16 Years of Age.	Part X., Sects. 96, 98.
13 & 14 Vict. c. 87. Application of certain Fines to Police Superannuation Funds.	Sect. 80, Paragraph 3.
14 & 15 Vict. c. 55. (Expenses of Prosecutions, &c.):	
s. 9. Clerks to Justices, &c., may be paid by Salary in lieu of Fees.	Sect. 32.
s. 10. Certain Business may be excepted	Omitted, as Salaries to apply to all Duties.

Repealed Acts and Nature of Provisions.		Re enactments or new Provisions, or Reasons for Omission.
14 & 15 Vict. c. 55. (Expenses of Prosecutions, &c.)—*cont.*		
s. 10.	How Salary payable, and Funds.	Sect. 33.
s. 11.	Clerks so paid to account for Fees.	Sect. 34.
s. 12.	Justices may remit Fees to Parties	Sect. 37.
s. 18.	Amending 11 & 12 Vict. cc. 42. 43. as to backing Warrants in Channel Isles.	Sects. 126, Paragraphs 1, 2.
18 & 19 Vict. c. 126 (Criminal Justice Act).*		*This Act being referred to in Acts not repealed, Sect. 133. substitutes the new Provisions for it: Part X.
s. 1.	Larceny under 5*s.* how punishable	Sects. 97, 98, 100.
s. 2.	Procedure in last Cases	Sects. 98, 100.
s. 3.	Larceny above 5*s.* by Servants, &c.	Sects. 99, 100.
s. 4.	Attorney for Accused	Sect. 57.
s. 5.	Remanding Accused	Sect. 49.
s. 6.	Forfeited Recognizances to Quarter Sessions.	Sect. 131.
s. 7.	Conviction, &c. to Quarter Sessions	Sect. 104.
s. 8.	Restitution of Property stolen, &c.	Sect. 103.
s. 9.	Petty Sessions an Open Court	Sect. 95.
s. 10.	11 & 12 Vict. c. 43. not to apply.	(See Sect. 94.)
s. 11.	Effect of Conviction	Sect. 101.
s. 12.	Proceedings a Bar, &c.	Sect. 102.
s. 13.	Conviction not to be quashed, &c.	Sect. 85.
s. 14.	Expenses of Prosecutor and Witnesses.	Sect. 105.
s. 15.	Town Hall, &c., to be used	Sect. 54.
s. 16.	Metropolitan Police and Stipendiary Magistrates to act alone.	Sect. 16.
s. 17.	Act not to affect Juvenile Offenders Acts, 10 & 11 Vict. c. 82. and 13 & 14 Vict. c. 37.	[These Acts are included in Repeals, but new Provisions substituted.]
s. 22.	Compensation to Party aggrieved a Witness.	Sect. 80, Paragraph 1.
19 & 20 Vict. c. 118.	Amending Criminal Justice Act.	Sect. 4, "Petty Sessions," and Sects. 12 and 95.
20 & 21 Vict. c. 43. (Stating Case for Superior Courts):		
s. 1.	Definition of Superior Court	Sect. 76, Paragraph 2.
s. 2.	In what Cases to appeal	Same, and Sect. 78, Paragraphs 1, 7.
s. 3.	Recognizance and Cost of Case	Sect. 78, Paragraphs 2, 6.
s. 3.	Schedule of Fees	Sect. 26, and 1st Schedule.
s. 4.	Justices may refuse a Case	Sect. 78, Paragraph 4.
s. 5.	Queen's Bench may order Case to be stated.	Sect. 78, Paragraph 5.
s. 6.	Superior Court to determine Case	Sect. 78, Paragraphs 9, 11.
s. 7.	Case may be sent back	

Repealed Acts and Nature of Provisions.		Re-enactments or new Provisions, or Reasons for Omission.
20 & 21 Vict. c. 43. (Stating Case for Superior Courts)—*cont.*		
s. 8.	One Judge may determine Case	Sect. 78, Paragraph 9.
s. 9.	After Decision Conviction to be enforced.	Sect. 79.
s. 10.	Certiorari not necessary	Sect. 78, Paragraph 14.
s. 11.	Superior Court to make Rules	Sect. 78, Paragraph 8.
s. 12.	Definition of "Justices"	Sect. 4.
s. 13.	How Recognizances enforced	Sect. 78, Paragraph 12.
s. 14.	Appellant not to appeal to Quarter Sessions.	Sect. 76, First Two Lines allowing one Appeal only.
s. 15.	Extent of Act	[England and Ireland.]
21 & 22 Vict. c. 73. (Stipendiary Magistrates):		
s. 1.	May act alone in certain Cases	Sect. 16.
s. 2.	May act also in Petty Sessions	
s. 3.	But not in Quarter or Special Sessions.	
s. 4.	Saving as to Metropolitan Police Magistrates.	
s. 5.	Amendment of 11 & 12 Vict. c. 43 s. 22.	Omitted as unnecessary. See Sect. 70, Paragraphs 20, 21, 22.
22 & 23 Vict. c. 14. (Pawnbrokers' Act Amendment) Application of 2 & 3 Vict. c. 71. ss. 32–35.		Sect. 70, Paragraphs 18, 29, 30, Sect. 80, Paragraph 4.
22 & 23 Vict. c. 32. (County Police Amendment):		
s. 14.	Appropriation of Penalties to Superannuation Funds.	Sect. 80, Paragraph 3.
24 & 25 Vict. c. 96. (Larceny Consolidation):		The same Note as placed to 11 & 12 Vict. c. 43, is here applicable.
s. 99.	Aiders and Abettors	Sect. 81.
s. 105.	On Oath to issue Summons	Sections 42, 43, 44.
s. 106.	Application of Penalties	Sect. 80.
s. 107.	Scale of Imprisonment	Sect. 71.
s. 108.	Justice to discharge Offender, &c.	Sect. 83.
s. 109.	Conviction to be a Bar, &c.	Sect. 71, last Two Paragraphs.
s. 110.	Appeal Clause.	Sect. 76, 77.
s. 111.	No Certiorari, &c.	Sect. 85.
s. 112.	Conviction to Quarter Sessions	Sect. 69.
s. 120.	Proceedings to be under 11 & 12 Vict. c. 43.	Sect. 133, Paragraph 2.
24 & 25 Vict. c. 97. (Malicious Injuries Consolidation):		
s. 62.	On Oath to issue Summons	Sects. 42, 43, 44.
s. 63.	Aiders and Abettors	Sect. 81.
s. 64.	Application of Penalties	Sect. 80.
s. 65.	Scale of Imprisonment	Sect. 71.
s. 66.	Justices to discharge Offenders, &c.	Sect. 83.

Repealed Acts and Nature of Provisions.	Re-enactments or new Provisions, or Reasons for Omission.
24 & 25 Vict. c. 97. (Malicious Injuries Consolidation)—*cont.*	
s. 67. Conviction to be a Bar, &c.	Sect. 71, Two Paragraphs.
s. 68. Appeal Clause	Sect. 76, 77.
s. 69. No Certiorari, &c.	Sect. 85.
s. 70. Conviction to Quarter Sessions	Sect. 69.
s. 76. Proceedings to be under 11 & 12 Vict. c. 43.	Sect. 133, Paragraph 2.
24 & 25 Vict. c. 99. (Coinage Offences Consolidation):	
s. 32. No Certiorari, &c.	Sect. 85.
s. 41. Proceedings to be under 11 & 12 Vict. c. 43.	Sect. 133, Paragraph 2.
24 & 25 Vict. c. 100. (Offences against the Person):	
s. 44. Certificate of Dismissal for Assault	Sect. 69.
s. 45. Certificate to be a Bar, &c.	Sect. 69.
s. 72. No Certiorari, &c.	Sect. 85.
s. 76. Proceedings to be under 11 & 12 Vict. c. 43.	Sect. 133, Paragraph 2.
24 & 25 Vict. c. 130. s. 2. Justices to make Regulations as to Licences.	Sect. 123.
25 Vict. c. 18. Whipping of Juvenile Offenders	Sect 70, Paragraph 9, and Sect. 98, Paragraph 5.
25 & 26 Vict. c. 82. (Economical Recovery of Rates). Several Rates recoverable by same Proceedings.	Sect. 41, Paragraph 2; Sect. 42, Paragraph 3; Sect. 44, Paragraph 3; Sect. 61, Paragraph 4. See also Forms I.A. and J.A. Second Schedule.
26 & 27 Vict. c. 77. Amending Jervis's Acts, 11 & 12 Vict. cc. 42., 43., as to Justices acting in adjoining Counties, Cities, &c.	Section 6. applies similar Provisions to *all Cases* as provided by 26 & 27 Vict. c. 77.
27 & 28 Vict. c. 80. Criminal Justice Act Extension to Cinque Ports, &c.	Sect 4, "Petty Sessions" and Sects. 12, 95.
27 & 28 Vict c. 110. Limited Penalties Act.	Sect 70, Paragraph 18.

A

BILL

TO

Consolidate and amend the Acts regulating Proceedings before Justices of the Peace out of Quarter Sessions in England.

WHEREAS it is expedient to reduce into One Act the existing Enactments regulating the Procedure before Justices of the Peace out of Quarter Sessions in England, to simplify and amend those Enactments and the Forms of such Procedure, to regulate the Appointment of Clerks to the Justices of Counties, and to provide uniform Tables of Fees to be taken by Clerks to Justices and Constables: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

PRELIMINARY.

1. This Act may be cited as "The Justices Procedure Act for England, 1865." Short Title.

2. This Act shall not extend to Scotland or Ireland, save and except the several Provisions herein contained respecting the backing and Execution of Warrants and Service of Summonses. Extent of Act.

3. This Act shall, except where otherwise expressly provided, commence upon the *First Day of January One thousand eight hundred and sixty-six.* Commencement of Act.

PRELIMINARY.

Interpretation of Terms :

4. In the Interpretation of this Act and of the Schedules thereto the following Words and Expressions shall have the Meanings hereby assigned to them, save where there is anything in the Subject or Context repugnant to such Construction; (that is to say,)

County :

"County" shall include County of a City or Town, and Division or Riding of a County:

Place : 27 & 28 Vict. c. 80.

"Place" shall mean any City, Town, Liberty, Cinque Port, Borough, District, Division, or other Place of Magisterial Jurisdiction:

Borough :

"Borough" shall mean any Borough named in the Schedules (A.) and (B.) annexed to the Act of the Fifth and Sixth Years of King William the Fourth, Chapter Seventy-six, and any Borough now or hereafter incorporated by Charter:

Parish :

"Parish" shall include any Township, Tything, Hamlet, or Extra-parochial Place:

Justice :

"Justice" shall mean any One or more Justices of the Peace, a Police or Stipendiary Magistrate, and the Lord Mayor or any Alderman of the City of London, respectively, having Jurisdiction for the County or Place where the Offence or Matter requiring the Cognizance of such Justice or Justices is or is suspected or deemed to have been committed or arises:

Sessional Division :

12 & 13 Vict. c. 18 s. 1. 24 & 25 Vict. c. 75. s. 4.

"Sessional Division" shall mean every Division constituted under the Acts of the Ninth Year of King George the Fourth, Chapter Forty-three, the Sixth Year of King William the Fourth, Chapter Twelve, and of the Twenty-second and Twenty-third Years of Her Majesty, Chapter Sixty-five, or of One or more of them, as well as every City, Borough, or Town Corporate having a separate Commission of the Peace, whether it have a separate Court of Quarter Sessions of the Peace or not:

Special Sessions :

"Special Sessions" shall mean every Meeting of Justices of the Peace out of Quarter Sessions held in and for any "Sessional Division" for particular Purposes, and called in the Acts in that Behalf "Special Sessions" or "Special Petty Sessions," or other like Terms, as well as the General Annual Licensing Meeting for Alehouses:

Petty Sessions :

12 & 13 Vict. c. 18. s. 1. 19 & 20 Vict. c. 118. 27 & 28 Vict. c. 80.

"Petty Sessions" shall mean the Sitting of Two or more Justices or of a Police or Stipendiary Magistrate, or of the Lord Mayor or any Alderman of the City of London, respectively legally acting in and for or for any "Sessional Division" or "Place," as herein-before defined, at any Place, or at One of the Places, at which such Sitting may for the Time being be appointed to be held, as mentioned in Section Fifty-four of this Act:

PRELIMINARY.

Oath: "Oath" shall include solemn Affirmation or Declaration substituted by Law for an Oath:

Gaol: "Gaol" shall include any House of Correction or Common Gaol of or for the County or Place to which the Person sent thereto may by Law be committed:

Home Office: "Home Office" shall mean One of Her Majesty's Principal Secretaries of State:

Treasurer: "Treasurer" shall in the Metropolitan Police District mean the Receiver of the Metropolitan Police District, and in the City of London the Chamberlain of the said City:

Property: "Property" shall include Goods, Chattels, Money, Bank or other Notes, valuable Securities, Documents, and every other Matter or Thing, whether real or personal, upon or with respect to which any Offence may be committed:

Penalty: "Penalty" shall include any Fine, Sum for Compensation, Forfeiture, or any such Property as last mentioned forfeited by Law upon a summary Conviction, and the Proceeds of such Property when sold or disposed of as by Law directed, but not the Costs attending the Proceedings:

Clerk to the Justices: "Clerk to the Justices" or "Clerk to Justices" shall mean the Person duly appointed to the said Office for any Sessional Division or any Part thereof, or any Place, and the Person usually acting as such Clerk either in the Capacity of Clerk of the Sessional Division or (so far as regards the Provisions contained in the Eleventh Part of this Act) Clerk of the Special Sessions, and the Person usually acting as or performing the Duties of such Clerk, or as his lawful Deputy; but within the Metropolis and City of London such Term "Clerk to the Justices" shall mean the Chief or Principal Clerk, or in his Absence the Second or AssistantClerk:

Constable: "Constable" shall mean every Constable, Peace Officer, or other Person belonging to any Constabulary or Police Force, and every Parochial Constable:

Defendant: "Defendant" shall be understood to include Bodies Politic and Corporate (except in the Provisions of Sections Seventy and Seventy-one of this Act as to Imprisonment, and except as to their Competency as Witnesses) as well as Individuals:

Accused: "Accused" shall mean the Person or Persons charged with any indictable Offence under the Ninth or Tenth Parts of this Act:

Complaint: "Complaint" shall include any Information or Application made to a Justice:

Complainant: "Complainant" shall include Informer or Prosecutor:

Month :

"Month" shall mean a Calendar Month :

Sign :

"Sign" shall, as regards Summonses issued by the Clerk to Justices, include the printing or otherwise impressing or marking of his Name :

Offence Cases :

"Offence Cases" shall mean the Cases mentioned in Paragraphs (1) and (5) of Section Sixty-one of this Act :

Civil Cases :

"Civil Cases" shall mean the Cases mentioned in Paragraphs (2), (3), (4), (6), (7), and (8) of Section Sixty-one of this Act.

Division of Act.

5. This Act is divided into Fourteen Parts, relating to the following Subject Matters :

The First Part to the Jurisdiction and Authority of Justices :
The Second Part to Clerks to Justices, their Fees and Duties :
The Third Part to preferring Complaints and Charges :
The Fourth Part to Process to enforce Appearance :
The Fifth Part to Witnesses :
The Sixth Part to adjourning and remanding Cases :
The Seventh Part to the Place of hearing, and Proceedings thereat :
The Eighth Part to Summary Jurisdiction :
The Ninth Part to Indictable Offences :
The Tenth Part to Summary Jurisdiction over certain indictable Offences :
The Eleventh Part to Special Sessions Matters :
The Twelfth Part to the Execution of Warrants :
The Thirteenth Part to Recognizances :
The Fourteenth Part to Repeal of Acts and Miscellaneous Provisions.

PART I.

PART I.

JURISDICTION AND AUTHORITY OF JUSTICES.

Local Jurisdiction.

6. The Powers of Justices and others to act in and for different Localities shall be subject to the following Provisions :

Justice may act for One County, &c., whilst in adjoining County, &c., or whilst in adjoining County of a City.
11 & 12 Vict. c. 42. ss. 5, 6.
14 & 15 Vict. c. 93. s. 7.

(1.) A Justice for any County or Place may act as such in all Matters arising therein, although he may at the Time happen to be in an adjoining County or Place, provided he is also a Justice for such adjoining County or Place :

(2.) A Justice for any County may act as such in all Matters arising therein, although he may at the Time happen to be in any City, Town, or Place, being a County of itself, situated within or adjoining to such first-mentioned County, whether he is a Justice of such City, Town, or Place, or not ; but nothing herein contained shall extend to empower any Justice for any County, not being also

Justice for any such City, Town, or Place as aforesaid, or any Person acting under him, to act or intermeddle in any Matters arising within any such City, Town, or Place:

Or for detached Parts of Counties. 11 & 12 Vict. c. 42. s. 7.

(3.) A Justice for any County may act as such in all Matters arising in any detached Part of any other County which is surrounded in whole or in part by the County for which such Justice acts, as if such detached Part were to all Intents and Purposes Part of the said County:

Justice a Guardian of Union may act in Offences in Workhouses. 7 & 8 Vict. c. 101. s. 57. 11 & 12 Vict. c. 110. s. 9.

(4.) A Justice who is an ex-officio or elected Member of a Board of Guardians of any Union duly constituted may act as a Justice in respect of all Offences committed in the Workhouse of such Union in any County or Place comprised in the said Union, although he is not a Justice for such County or Place:

Or in Places added to County for Police Purposes. 21 & 22 Vict. c. 68.

(5.) Whenever, under the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter Sixty-eight, any detached Part of any County is annexed or transferred to any other County for the Purposes of the Acts relating to County and District Constables, such annexed or transferred Part shall for all the Purposes of this Act be deemed to be Part of the last-mentioned County:

Justice may take Information, &c. out of Jurisdiction. 27 & 28 Vict. c. 53. s. 13.

(6.) A Justice may receive and take any Affidavit, Complaint, Declaration, or Recognizance, and sign, grant, or issue any such Documents, or any Certificate, Summons, or Warrant, and do all other Things necessary thereto, at any Place other than that for which he is or acts as such Justice:

Authority of Constables.

And all Constables or other Persons apprehending any Person whom they lawfully may and ought to apprehend by virtue of their Office or otherwise, in any such County or Place as aforesaid, may lawfully convey such Person before any Justice for such County or Place whilst such Justice or Justices shall be in such adjoining County or Place as aforesaid; and such Constables or other Persons are hereby authorized and required in all such Cases to act in all things as if such Justice or Justices were Justices for such County or Place, or were within the County or Place for which he or they shall so act or exercise Jurisdiction.

Offences on the Boundaries of Counties, &c., or during a Journey, &c. 7 G. 4. c. 64. ss. 12, 13. 24 & 25 Vict. c. 109. s. 36.

7. Where any Offence within the Eighth or Tenth Parts of this Act is committed—

(1.) On any Bridge or on Land or on Waters on or forming the Boundary or Boundaries of Two or more Counties or Places, or within the Distance of *One hundred*

Yards of any such Boundary or Boundaries, or begun in One County or Place, and completed in another;

(2.) On any Person or on or in respect of any Property in or upon any Coach, Waggon, Cart, Vehicle, or any Engine, Tender, or Carriage of or forming Part of any Railway Train or in or upon any other Carriage whatever employed in any Journey, or on any Person or on or in respect of any Property on board any Boat or Vessel whatever employed on any Voyage or Journey upon any Waters, navigable River, Canal, or Inland Navigation;

(3.) Where in either of these Cases the Side, Centre, or other Part of any Bridge, Highway, Street, or public Place, or the Side, Bank, Centre, or other Part of any such Waters, River, Canal, or Navigation, shall constitute the Boundary of any Two Counties or Places,

Deemed to be committed in either.

Such Offence may for all Purposes be deemed and described in any Proceeding to have been committed in either of the said Counties or Places, or in any County or Place, through or adjoining to or by the Boundary of any Part whereof such Coach, Waggon, Cart, Vehicle, Engine, Tender, Carriage, or Vessel shall have passed in the course of such Journey or Voyage, as the Case may be, in the same Manner as if the Offences respectively had been wholly or actually committed in such County or Place.

Jurisdiction of County and Borough Justices in Boroughs.

8. Offences and Matters committed or arising in Boroughs, and the Jurisdiction of Justices in Boroughs and the Counties adjoining or surrounding, in certain Cases, shall be subject to the following Provisions, notwithstanding any Act or Charter to the contrary:

Borough Justices to have exclusive Jurisdiction in certain Cases. 5 & 6 W. 4. c. 76. s. 111. 13 & 14 Vict. c. 91. s. 9. 24 & 25 Vict. c. 75. s. 4.

(1.) All Offences and Matters committed or arising wholly within any City or Borough having a separate Commission of the Peace (whether it have a separate Court of Quarter Sessions of the Peace or not) shall and may be heard, determined, and disposed of by the Justices of such City or Borough exclusively, and no Justice of any County shall as such act or intermeddle in any such Offences or Matters: Provided always, that if at any Time there shall not be Three Justices of such City or Borough competent and qualified to act in any Case, within the Eighth, Tenth, and Eleventh Parts of this Act, any Justice of any County adjoining or surrounding it may act within such City or Borough as a Justice thereof:

County and Borough Justices to have concurrent Jurisdiction

(2.) All Offences and Matters committed or arising within any other Borough than last-mentioned, or the Liberties thereof, may be heard, determined, and disposed of by the Justice or Justices of such Borough, or by the Justices of the County adjoining or surrounding it, or by the Justices of such Borough and County jointly:

in other Cases.

5 & 6 W. 4. c. 76. s. 111.
24 & 25 Vict. c. 75. s. 3.

(3.) Whenever by the Acts in that Behalf Power is given to the Justices of any City, Borough, or Town Corporate, and of the County adjoining or surrounding it, jointly, or to the Justices of such County separately, to appoint and nominate the Overseers of any Parish which is partly within and partly without such City, Borough, or Town Corporate, the Justices of such City, Borough, or Town Corporate, and of such County, shall make such Appointment and Nomination accordingly at some Special Sessions to be held by them jointly, and not separately, at the usual Period within either Jurisdiction, and in default thereof the Justices of either Jurisdiction may do so alone; such Special Sessions in either Case being convened at the Instance of any One of such Justices, as in the Eleventh Part of this Act is provided in like Cases in respect to Sessional Divisions generally: Provided always, that in respect to all other Matters within this Act or within the Jurisdiction of Justices each such Part of such Parish shall for all Purposes be deemed to be a separate Parish.

Appointments to Overseers in Parishes in Two Jurisdictions to be made jointly.
43 Eliz. c. 2. s. 9.
12 & 13 Vict. c. 8. s. 1.
15 & 16 Vict. c. 38.

9. Where any Offence or Matter mentioned in the Eighth or Tenth Parts of this Act is by any Act placed within the Jurisdiction of a Justice to hear and determine, it shall be understood to mean, when not so expressed, or unless otherwise expressed in such Act or in this Act, a Justice of the County or Place where such Offence or Matter was actually committed or arose, or is by Law deemed to have been committed or to have arisen, or where the defaulting Person resides or is.

Justices where summary Offence committed to have Jurisdiction.

10. Any Justice may exercise any Jurisdiction in respect to indictable Offences—

Justices Jurisdiction over indictable Offences.
11 & 12 Vict. c. 42. ss. 1, 2.

(1.) Whenever any Person has or is by Law deemed to have committed any Treason, Felony, indictable Misdemeanor or other indictable Offence whatsoever within the Limits of the Jurisdiction of such Justice:

(2). Whenever any Person has committed or is suspected to have committed any such Crime or Offence elsewhere out of the Jurisdiction of such Justice, either in Great Britain or Ireland, or in the Isles of Man, Jersey, Guernsey, Alderney, or Sark, and such Person is residing or being, or is suspected to reside or be, within the Limits of the Jurisdiction of such Justice:

14 & 15 Vict. c. 93. s. 10.

(3.) Whenever any Person has committed or is suspected to have committed any Crime or Offence whatsoever on the High Seas, or in any Creek, Harbour, Haven, or other Place in which the Admiralty of England have or claim to have Jurisdiction, or on Land beyond the Seas, for which an Indictment can be legally preferred in any Place in the United Kingdom of Great Britain and Ireland, and such Person is residing or being, or suspected to reside or be, within the Limits of the Jurisdiction of such Justice:

Not to affect Jurisdiction over Foreign Offences.
6 & 7 Vict. cc. 34, 75, 76.
16 & 17 Vict. c. 118.
25 & 26 Vict. c. 70.

But this Enactment shall not prevent a Justice from exercising the Jurisdiction given to him by any Act relating to Offences committed in Foreign Countries, or in any Part of Her Majesty's Dominions, not being Part of the said United Kingdom.

Justices of the Quorum abolished.

11. For the Purposes of any Matter within this or any other Act, it shall not be necessary for any Justice acting under this or any other Act to be a Justice of the Quorum.

Sittings of Justices to be Petty Sessions, &c.
12 & 13 Vict. c. 18. s. 1.
18 & 19 Vict. c. 126. s. 9.
19 & 20 Vict. c. 118.
27 & 28 Vict. c. 80.

and Cases to be heard thereat, except in certain Cases.

County Justices may act at more than One Petty Sessions.

Acts giving special Jurisdiction not affected.

12. For the Purposes of any Act already passed or hereafter to be passed, such Sitting of Justices or of the Lord Mayor, Alderman, or Magistrate, as defined by Section Four of this Act to be a "Petty Sessions," shall be deemed to be a "Petty Sessions," "Petty Sessions of the Peace," or "Court of Petty Sessions," as the Case may be, and as such first-mentioned Act shall require; and all Offences and Matters within the Eighth Part (except those Cases permitted by Section Fifty-four of this Act to be heard out of Petty Sessions, and except where it shall be more convenient to hear and determine any Case, with the Consent of the Justices, in an adjoining Division or Place of the same Jurisdiction) and the Tenth Part of this Act, shall be heard and determined at some Petty Sessions held in or for the Sessional Division or Place within which such Offences and Matters were respectively committed or arose, or are by Law deemed to have been committed or to have arisen: Provided always, that the last-mentioned Enactment shall not prevent any Justice for any County from acting as such in respect to any Offences and Matters at or for more than One Petty Sessions or Sessional Division in such County: Provided also, that nothing in this Act shall affect the Provisions of any Act whereby Jurisdiction is expressly given to a Justice other than a Justice for the County or Place where the Offence or Matter was actually committed or arose, or is by Law deemed to have been committed or to have arisen, to hear, determine, or dispose of such Offence or Matter.

Certain Justices, Members of Cor-

13. Notwithstanding anything in any Act to the contrary, a Justice may act alone, or with any other Justice, in any Matter within this Act, although he is an ex-officio or elected Member of the Board of Guardians, or of the Highway Board, or a Member of the Local Board, or Local Board of Health, or County or District Road Board, or Board of Conservators, or Commission of Sewers, or of the Municipal or other Corporation, or a Trustee of a Turnpike Trust, or One of the Local Authority, complaining or concerned or interested in such Matter, or in the Property or Premises, or liable or contributing to any Rate or County or Borough Fund, with respect to which the Complaint or Charge is made.

porations, &c. not disqualified. 5 & 6 Vict. c. 57. s. 15. 11 & 12 Vict. c. 63. s. 132. 23 & 24 Vict. c. 77. s. 16. 25 & 26 Vict. c. 61. s. 38.

14. No Justice shall, either alone or with any other Justice, hear or determine any Offence or Matter within the Eighth, Tenth, or Eleventh Parts of this Act, or act in the preliminary Examination of any Case within the Ninth Part of this Act, who is interested therein, or related to any Party to the Proceeding, in any of the following Ways:

Interested Justices disqualified in certain Cases.

(1.) If he is rated or liable to be rated in the Parish against any Rate for which an Appeal is made to a Special Sessions at which he is present;

27 & 28 Vict. c. 39. s. 6. 16 Geo. 2. c. 18. ss. 1, 3.

(2.) If he is individually interested as Owner, Lessee, or Occupier in the Property, Land, or Premises upon or with respect to which the Offence or Matter was committed or arose;

(3.) If he is the Father, Son, or Brother of any Party to the Proceeding, or of any Person so interested;

(4.) If he is the Partner in Business of any Party to the Proceeding, or of any Person so interested;

(5.) If he is a Member, Director, Officer, or Shareholder of any Joint Stock or other Public Company or Body (other than those referred to in Section Thirteen) complaining or concerned in such Offence or Matter,

Unless both Parties to such Proceeding shall previously give their Consent thereto, in which Case he shall be competent to hear, determine, or act as if he were not so interested or related; but such Justice is hereby required to state the Fact of his being so interested or related or otherwise before he shall take any Part in such Hearing and Determination or Examination.

15. The Number of Justices required to act in Cases within the Eighth Part of this Act shall be subject to the following Provisions:

Number of Justices necessary in Cases in Part 8. 11 & 12 Vict. c. 43. s. 29.

(1.) Any One Justice may receive a Complaint and issue a Summons or Warrant to any Defendant or Witness, and do any other Act and Matter preliminary to the Hearing:

(2.) Every Complaint shall be heard and determined by One or Two or more Justice or Justices, as directed by the Act or Acts upon or under which the Complaint is framed or this Act;

PART I.

Id. s. 12.

Act; and if there be no such Direction in any such Act or Acts then such Complaint may be heard and determined by any One Justice: Provided always, that in all Cases where by this or any other Act it is required that the Complaint shall be heard and determined by Two or more Justices such Justices must be present and acting together during the whole of the Hearing and Determination of the Case, except as provided by Section Sixty-eight of this Act, Paragraph (10):

11 & 12 Vict. c. 43. s. 29.

(3.) After the Case shall have been heard and determined any One Justice may issue all Warrants thereon for enforcing the Determination.

Powers of Metropolitan Police and Stipendiary Magistrates.
11 & 12 Vict. c. 42. s. 29.
11 & 12 Vict. c. 43. s. 33.
21 & 22 Vict. c. 73. ss. 1, 2, 3.
2 & 3 Vict. c. 71. s. 14.
18 & 19 Vict. c. 126. s. 16.

16. Any One of the Magistrates appointed to act at any of the Police Courts of the Metropolis, and sitting at a Police Court within the Metropolitan Police District, and every Stipendiary Magistrate appointed for any other County or Place, and sitting at a Police Court or other Place appointed in that Behalf, may do alone any Act and exercise alone any Jurisdiction under this Act, or which under any Law now in force, or under any Law not containing an express Enactment to the contrary hereafter to be passed, may be done or exercised by more than One Justice or by Justices, whether sitting or acting in Petty Sessions or otherwise: Provided always, that none of the said Magistrates of the Metropolis shall be competent to act as a Justice, either alone or with any other Justice or Justices, in anything which is to be done or exercised under the Eleventh Part of this Act, or at the General or Quarter Sessions of the Peace, or in relation to the Grant or Transfer of any Licence.

The Lord Mayor and Aldermen of London may act alone in certain Cases.
11 & 12 Vict. c. 43. s. 34.
11 & 12 Vict. c. 42. s. 30.
3 & 4 Vict. c. 84. s. 6.

17. The Lord Mayor of the City of London or any Alderman of the said City for the Time being sitting at the Mansion House or Guildhall Justice Rooms in the same City, or other Place appointed by the Court of Mayor and Aldermen of the said City, may do alone any Act and exercise alone any Jurisdiction under this Act, or which under any Law now in force, or under any Law not containing an express Enactment to the contrary hereafter to be passed, may be done or exercised by more than One Justice or by Justices whether sitting or acting in Petty Sessions or otherwise: Provided always, that this Enactment shall not extend to the Offences and Matters mentioned in the Tenth Part or the Eleventh Part of this Act (except as to the Appointment of Overseers of the Poor), nor to the making of any Order in Bastardy against the putative Father of any Bastard Child, nor to the Recovery of the Possession of deserted Premises or small Tenements under the Acts in that Behalf.

43 Eliz. c. 2. s. 8.
3 & 4 Vict. c. 84. s. 13.
1 & 2 Vict. c. 74.

PART II.

CLERKS TO JUSTICES, THEIR FEES AND DUTIES.

Appointment of future Clerks to Justices and Tenure of Office.
5 & 6 W. 4. c. 76. s.102.

18. As soon and as often as any Vacancy shall arise in the Office of Clerk to the Justices of any Sessional Division (other than a Borough) or of any Part thereof, the Justices residing within or usually acting for such Division shall, at a Special Sessions held for the Purpose (of which *Ten Days* Notice at the least, signed by Two of such Justices, shall be transmitted by Post to the Address of all the other such Justices), appoint some fit and proper Person or Persons, being an Attorney-at-Law or Attorneys-at-Law in actual Practice, or having acted as Clerk to the Justices of any Sessional Division during at least Seven Years (not being at the Time of such Appointment the Clerk of the Peace for the County, or the Deputy or Partner of such Clerk of the Peace, or the Treasurer of the County, or a Clerk or Person in the Employment of either), to execute the said Office, by himself or his sufficient Deputy (to be approved as provided by Section Twenty), and to take and receive the Fees thereof, for so long Time only as such Clerk to the Justices shall well demean himself in his said Office: Every such Appointment when made shall be forthwith notified by the Chairman of such Meeting to the Clerk of the Peace of the County; and every such Clerk now or hereafter appointed shall be called the "Clerk to the Justices of the (naming it) Sessional Division."

Style of Clerk.

Previous Appointment to continue,

19. Every Person who at the Commencement of this Act holds the Office of Clerk to Justices (whether of a Sessional Division or Borough), or Clerk of Petty or Special Sessions, or Clerk of a Part of a Sessional Division, to which Office he has been appointed by the Justices of such Division or Borough, shall continue to hold the same, as provided in Section Eighteen in respect to Clerks to Justices to be hereafter appointed; and every Person appointed in any other Manner, and not under any Statute now in force, who so holds the Office of or acts as Clerk to a Justice or Justices shall from and after the Commencement of this Act cease to hold the same or to so act: So soon as practicable, there shall be but One Person in each Division acting or performing the Duties of Clerk to Justices, and Clerk of Petty and Special Sessions, unless the Justices of such Division shall, for the Convenience of the Public, have held or continued to hold Petty Sessions at more than One Place in the Division, or divided the Division into several Parts, and in that Case such Justices may appoint or continue to have a Clerk for each of such Parts.

except Clerk to individual Justices, who are to cease hereafter.

PART II.

Clerk to appoint a Deputy. 26 & 27 Vict. c. 97. s. 6.

20. Any Clerk to Justices already or hereafter to be appointed may, with the Approval of Three of the Justices of the Sessional Division or Borough, appoint some Person as his Deputy to act for him temporarily during any Period fixed by such Justices, or whenever they shall see Occasion, or to assist such Clerk in his Business; and every Deputy or Assistant so appointed and approved shall have all the Powers and perform all the Duties of such Clerk, and shall be removable at the Pleasure of such Clerk, subject to such Approval.

Removal of Clerk to Justices when guilty of Misdemeanor or Misconduct. 27 & 28 Vict. c. 65. ss. 2, 3.

21. If it appear to any Two Justices of the Sessional Division or Borough that their Clerk has misdemeaned himself in the Execution of his Office, or has been guilty of such Misconduct, otherwise than in the Execution of his Office, as in the Opinion of the said Justices to render him an unfit or improper Person to hold his said Office, the said Justices may exhibit against him to the Court of General or Quarter Sessions of the County or Borough a Complaint in Writing, stating the Misdemeanor or Misconduct of which the Clerk has been guilty; and it shall be lawful for the said Court, if satisfied, upon due Examination in open Court, that the Clerk complained of has been guilty of the Misdemeanor or Misconduct imputed to him, and that the Misconduct is such as to render him an unfit or improper Person to hold his Office, to suspend or remove him from his Office, and thereupon a new Clerk to the Justices shall be appointed in manner provided by Law: If the Clerk complained of feels aggrieved by the Decision of such Court of General or Quarter Sessions, he may, within Three Months after the Delivery of such Decision, appeal to the Lord Chancellor by Motion in a summary Manner, and it shall be lawful for the Lord Chancellor to reverse, confirm, or modify such Decision, or to remit the Case with such Directions as he may think just.

Power to appeal to the Lord Chancellor.

Clerks disqualified from conducting Prosecutions, &c. in certain Cases. 24 & 25 Vict. c. 75. s. 5. 26 & 27 Vict. c. 97. s. 6.

22. It shall not be lawful for any Clerk to Justices, by himself or his Partner or Clerk, or otherwise, or the Treasurer of any County or Borough, to be directly or indirectly employed or interested in the Prosecution of any Offender committed for Trial by the Justices of the Sessional Division or Place, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions; nor for any Clerk to Justices, or his Partner or Clerk, or the County or Borough Treasurer, to be so employed or interested in the Defence of any such Offender, or to be engaged, practise or act, as the Attorney or Solicitor for any Party before the Justices to whom he is such Clerk, or for which County or Borough he is such Treasurer, or to act as the Clerk of any Attorney or Solicitor so practising or acting; and if any such Clerk or Treasurer shall be so employed or interested, practise or act, he shall for every such Offence forfeit and pay the Sum of One hundred Pounds, one Moiety thereof to be paid over in aid of the County Rate or Borough Fund, and the other Moiety thereof, with the Costs of Suit, to any Person who shall sue for the same in any of Her Majesty's Courts of Record at Westminster: Provided always, that any Committing Justice or Justices acting for any other Place than a Borough, or a City or Place for which the Clerk to the Justices is appointed under "The Stipendiary Magistrates Act, 1863," in any Case committed for Trial as aforesaid, in which no Attorney has appeared for the Prosecution may after Inquiry in that Behalf direct, or in any Case where it shall appear to him or them that a Prosecutor desires it shall give Permission to, the Clerk to the Justices of the Place for which such Justice or Justices acts or act, or his Partner or Clerk, respectively being an Attorney-at-Law in actual Practice, to act as Attorney for such Prosecution after such Committal; and the Fact of such Direction or Permission being given to such Clerk, or his Partner or Clerk, shall be certified by such Justice or Justices by Writing under his or their Hand or Hands on a separate Paper as well as at the Foot of or upon the Depositions.

Except by Permission of Justices.

23. The Clerk to the Justices of every Sessional Division (other than a Borough) shall have an Office in some convenient Place, either in or out of such Division, to be approved by the Justices, which shall be open daily (Sundays, Christmas Day, Good Friday, and any Day appointed for a Public Fast, Humiliation, or Thanksgiving, excepted), from Ten o'Clock in the Morning until Four o'Clock in the Afternoon, unless the Justices of the Sessional Division or Borough shall otherwise direct.

Clerk to have an Office.

24. There shall be provided for each Sessional Division or Place a Seal, on which the Word "Justices" and the Name of the Division, Place, or District shall appear; and all Documents issued from the Office of the Clerk to the Justices, or signed by any Justice, shall bear the Impression of such Seal, which may be printed thereon; and such Seal, however and wherever impressed thereon, shall for all Purposes be deemed the Seal of such Justice, and no further or other Seal shall in any Case be required to any Document, although the same may be or purport to be signed and sealed by more than One Justice; but the Omission of such Seal from any Document shall not invalidate the same, provided it be otherwise valid in Law.

Seal for each Division to be provided.

25. The Clerk of the Peace of each County or Borough shall, as soon as practicable after the passing and before the Commencement of

County, &c. to supply Seal and certain

PART II.

Books to Clerks to Justices.

of this Act, supply the several Clerks to the Justices within the same with the Seal mentioned in the last preceding Section, and also the several Books A, B a, G, O d, and W a, in the Second Schedule to this Act, in such Sizes as shall be sufficient to contain the necessary Entries of the Business of the Sessional Division or Place for Three Years, and the Cost thereof shall be paid to the Clerk of the Peace by the Treasurer of the County or Borough out of the County Rate or Borough Fund respectively.

Clerks to Justices to be entitled to Fees in 1st Schedule. 5 & 6 W. 4. c. 76. s. 124. 11 & 12 Vict. c. 43. s. 30.

26. From and after the Commencement of this Act the Clerk to the Justices of every Sessional Division, or Place (except those mentioned in the next Section) shall, in lieu of the Fees now payable, be entitled to demand and receive from the Person at whose Instance the several Proceedings by or before any Justice shall be taken, or in the Case of any Business transacted for any Parish, from the Overseers or Surveyors, as the Case may be, the several Fees in respect thereof set down in the First Schedule hereto; and no Fees other than those contained in the said Schedule (herein-after called the "Table of Fees"), and subject to the Regulations at the Foot thereof, shall be payable to such Clerk; but this Enactment shall be subject to the following Provisions:

Table to be posted in Office, &c.

(1.) A printed Copy of the Table of Fees in force for the Time being shall be kept posted in a conspicuous Part of the Room or Building in which the Petty Sessions are held, and in the Office of the Clerk to the Justices:

Home Office may vary the Table in certain Cases.

(2.) The Home Office may from Time to Time by an Order vary, lessen, or increase the Amount of any or all of the said Fees, and substitute other Fees in lieu thereof, or add new Fees, as may become necessary or may be expedient in any Sessional Division, Borough, or other Place:

Altered Table to be sent to Clerk of the Peace.

(3.) Whenever the Home Office shall so alter, lessen, increase, or add to the Table of Fees, amended Copies of such Table, or Part thereof, shall be transmitted to the Clerk of the Peace, to be by him distributed to the Clerk to the Justices to which such Table relates.

Justices Clerks Fees in the Metropolis. 2 & 3 Vict. c. 71. s. 42.

27. The Home Office shall, as soon as convenient after the passing of this Act, and from Time to Time, make a Table of Justices Clerks Fees to be taken in the Police Courts of the Metropolis, and alter or vary such Table; and the Court of Mayor and Aldermen of the City of London shall in like Manner (subject to the Approval thereof by the Home Office) make, alter, or vary a like Table in respect of all Acts and Business done in the Justice Rooms and other Places of exercising Magisterial Jurisdiction in the said City, except in respect of Matters required to be done and transacted in Special Sessions, to which Matters the Fees applicable thereto in the First Schedule hereto shall apply; and as soon as any such Table is made it shall be posted as required by the last preceding Section: Provided always, that until such Table is so made the Clerks of the said Courts, Justice Rooms, and Places respectively may demand and receive such Fees as they are now by Law authorized to demand or receive.

Justice or Clerk may refuse to act until Fees paid.
2 & 3 Vict. c. 71. s. 43.

28. Any Justice or Clerk to Justices may refuse to do any Act for which a Fee may be demandable under this or any other Act, unless such Fee shall be first paid, as well as the Fees payable to any Constable or other Person for the Service of any Summons or the Execution of any Warrant or otherwise in relation to such Act; and any Justice may order the Clerk to the Justices to do any such Act where the Complainant is from Poverty unable to pay such Fee.

Clerk taking greater or other Fees than allowed.
11 & 12 Vict. c. 43. s. 30.

29. If any Clerk to Justices shall knowingly demand or receive any other or greater Fee or Gratuity for any Act or Business done or transacted by him as such Clerk than such as is set down in the said Table of Fees or altered Table, or in the Table in force applicable to such Clerk, or by any Statute, he shall forfeit for every such Demand or Receipt the Penalty of not exceeding *Twenty Pounds*, to be recovered, together with treble the Amount, if any, so received, by Action of Debt in the County Court of the District in which such Clerk shall have his Office, by any Person aggrieved thereby.

Penalty.

Accounts of Fees, Fines, Penalties, &c. to be kept and rendered.
11 & 12 Vict. c. 43. s. 31.

30. Every Clerk to Justices shall keep a true and exact Account of all Fees payable to and received by him under this Act, by whom owing, and of whom and when received, and a like Account of all Monies received and paid by him for Penalties, or Sums of Money for Costs, Constables Fees, or otherwise, as such Clerk, of whom and when received, and to whom and when paid, such Account respectively being called "The Fees and Penalties Book" (A); and such Book, as well as the Receipts and Vouchers for all Sums paid by him, shall be open to the Inspection of the Clerk of the Peace, the Treasurer, or any Justice of the Sessional Division, at all reasonable Times; and such Clerk shall likewise Four Times in every Year, at such Period as the Court of Quarter Sessions or the Council or other governing Body shall direct in that Behalf, render a fair Copy of so much of the last-mentioned Account as relates to Penalties or other Sums (other than the Fees to the Clerk to the Justices), and pay the Amount due from him thereon, and payable under this Act to the Treasurer of the County or Borough, to such Treasurer.

31. If

PART II.

Penalty on Clerk failing to account for Fines or refusing Inspection of Books.
11 & 12 Vict. c. 43. s. 31.

31. If any Clerk to Justices shall fail to render such Account as mentioned in the last preceding Section, or shall wilfully render an Account untrue in any Particular, or shall fail to pay over the Amount due thereon, or any other Sums, as in this Act directed, or shall refuse to allow such Inspection as in the said Section mentioned, he shall forfeit not exceeding the Penalty of *Five Pounds* for every such Default or Refusal, to be recovered, with the Amount, if any, of Penalties, or other Sums unaccounted for and unpaid, as Penalties are directed by Sections Seventy and Seventy-one of this Act to be recovered, before any Justice of the County or Borough where such Clerk shall have his Office, on Complaint made within Six Months after such Default or Refusal.

Clerk to Justices may be paid by Salary in lieu of Fees, and vice versâ:
14 & 15 Vict. c. 55. ss. 9, 10.

32. In any County, whenever there shall be but One Person acting as the Clerk to the Justices of any Sessional Division therein, and performing the several Duties of Clerk to the Justices and Clerk of Petty and Special Sessions, the Justices of the Peace of such County, at their General or Quarter Sessions (Notice being given at the preceding Quarter Sessions that a Motion will be made for such Purpose), and also in any Borough at any Time the Council or other governing Body thereof, may respectively from Time to Time, if they see fit to do so, recommend to the Home Office that such Clerks to the Justices of any or all of such Sessional Divisisons, or the Clerk to the Justices of such Borough, be paid by Salary in lieu of Fees and other Payments; or where any such Clerks are for the Time being paid by Salaries by virtue of any Order made under Section Nine of the Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five, or under this Act or otherwise, may recommend that the Amounts of all or any of the Salaries for the Time being payable be reconsidered, or that all or any of such Clerks for the Time being paid by Salaries be paid by Fees in lieu of Salary; and in reference thereto the following Provisions shall be observed; (that is to say,)

Justices, Council, &c. to inquire into Fees received on an Average of Five Years.

26 & 27 Vict. c. 97. s. 7.

(1.) Where Payment by Salary in lieu of Fees is recommended, the Justices, Council, or governing Body shall, by such Means and in such Manner as they may think proper, inquire into and ascertain the annual Amount (to be computed upon an Average of *Five Years* immediately preceding the Date of such Recommendation, or of such shorter Period as such Clerk shall have been in Office) of the Fees received by such Clerk, and also separately of the Payments made by such Clerk for Law or other Books, Printing, and Stationery, and all other Charges and Expenses connected with or incidental to the Duties of such Clerk, including the Remuneration paid by him to his Deputy:

(2.) In

To state Amount they recommend.

(2.) In the last Case, and also where the Reconsideration of the Amount of any Salary is recommended, the Justices, Council, or governing Body shall state in their Recommendation the Amount of Salary which in their Opinion should in each Case be paid, inclusive of any Allowance for the Payments, Charges, and Expenses last mentioned:

How recommendation to the Home Office to be signed;

(3.) Such Recommendation from a County shall be signed by the Chairman of the Sessions, and from a Borough by the Mayor or other Head Officer of the Borough:

and sent within a Month.

(4.) Such Recommendation shall be transmitted to the Home Office within One Month after the signing thereof:

Clerk or Justices may appeal.

(5.) The Clerk to whom such Recommendation refers (and in the Case of a Borough the Justices thereof also) may appeal to the Home Office against the same:

Home Office may make Order in such Case;

(6.) The Home Office, after considering the Matter, may by Order direct that all or any of the Clerks to which such Recommendation refers be paid by Salary, and may fix the Amount of Salary to be so paid, or vary the Amount of Salary for the Time being payable to any such Clerk, or may direct that any such Clerk for the Time being paid by Salary be paid by Fees in lieu of Salary, and shall by such Order direct from what Date the same shall take effect:

and transmit Order to Clerk of the Peace.

(7.) The Home Office shall cause Copies of every such Order to be transmitted to the Clerk of the Peace, to be by him distributed to the Clerks to the Justices affected thereby.

Salary to be paid out of County or Borough Funds.

14 & 15 Vict. c. 55. ss. 9, 10.

33. The Salary for the Time being payable to any such Clerk under any Order made under the said Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five, or this Act, or otherwise, shall be paid out of any County Rate, or Rate in the Nature of a County Rate, made in the County, or out of the Borough Fund of the Borough, as the Case may be, for or in which such Clerk to whom the same is payable is appointed or acts, in Four quarterly Payments, by the Treasurer of such County or Borough, without further Authority than this Act; and such Salary shall include and be deemed the Remuneration for all Business which such Clerk may by reason of his Office be called on to perform; and no other Sum or Allowance shall be made for any such Business, or for or to a Deputy of any such Clerk, or for any Payments, Charges, or Expenses connected with or incident to his Duties.

Clerks paid by Salaries to account for the Fees.

14 & 15 Vict. c. 55. s. 11.

34. So long as any such Order for Payment of such Clerk by Salary in lieu of Fees is in force, such Clerk shall pay the Fees received by him to the Treasurer of the County or Borough, as the Case may be, for which such Clerk acts, to be applied by such

PART II.

Treasurer in aid of the same Rate or Fund out of which such Salary is herein-before made payable; and the same Fees shall be paid to such Treasurer Four Times in every Year, or as often and at such Period as the Court of Quarter Sessions or the Council or other governing Body shall direct in that Behalf; and such Clerk shall at the same Time render a fair Copy or Transcript of so much of the "Fees and Penalties Book" mentioned in Section Thirty as relates to the Fees so received, and shall sign his Name to and certify to the Correctness of such Copy or Transcript.

Penalty on Clerk failing to account for Fees.

35. If any Clerk to Justices shall fail to pay over such Fees as last mentioned, or to render such Copy or Transcript of the "Fees and Penalties Book," or shall wilfully render an untrue Copy or Transcript, he shall forfeit the like Penalty, and be liable to be proceeded against in the same Manner, as any Clerk is by Section Thirty-one liable for failing to account for Penalties and other Sums.

Recovery of Fees from Parties to Proceedings.
21 & 22 Vict. c. 100. s. 16.
2 & 3 Vict. c. 71. s. 43.

36. Whenever the Person who shall be liable under the Provisions of this Act or any other Act or Acts, or otherwise, to pay any Fees to any Clerk to Justices whatever (whether he be paid by Salary or not), shall fail to make Payment thereof, any Justice of the Sessional Division or Place for which such Clerk acts (after a Summons to such Person issued on the Complaint of such Clerk, and upon Proof alone that the Business or Act for which the Fees are claimed has been done or performed, and that a verbal or written Demand thereof has been made *Seven* Days before,) may, at any Time after such Fees become payable, adjudge that such Fees shall be paid to such Clerk at such Time as such Justice shall determine; and the Amount thereof shall be enforced in like Manner as any Decision of Justices may be enforced under Sections Seventy and Seventy-one of this Act.

Clerk or Justices may remit Fees of Justices Clerks when paid by Salary.
14 & 15 Vict. c. 55. s. 12.

37. Where any Clerk to Justices is paid by Salary by virtue of any Order made under the said Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five, or this Act, or otherwise, such Clerk, or any Justice before whom any Proceeding is had, wherein a Fee is payable to such Clerk under the said Act or this Act, or otherwise, or before whom any Person is summoned under the last preceding Section for Nonpayment of any such Fee, may remit such Fee, in whole or in part, for Poverty or other reasonable Cause, in his Discretion; and in every such Case such Clerk or Justice shall enter or cause an Entry to be made of such Remission in the proper Column of the "Fees and Penalties Book" mentioned in Section Thirty, and of the Reason for such Remission, which Entry shall be signed by such Clerk or Justice, and shall be a sufficient Voucher to discharge the Clerk therefrom.

Part II.

What Sections of this Part shall not apply to certain Places.

38. The following Sections of this Part of this Act shall not, unless expressly referred to, apply to the Courts and Places or the Clerks of such Courts or Places herein-after mentioned; (that is to say,)

(1.) Sections Nineteen, Twenty, Twenty-one, Twenty-three, Twenty-five, Twenty-six, Thirty, Thirty-two, Thirty-three, Thirty-four, and Thirty-five shall not apply to the Police Courts of the Metropolis:

(2.) Sections Eighteen, Nineteen, Twenty, Twenty-one, Twenty-three, Twenty-five, Twenty-six, Thirty, Thirty-two, Thirty-three, Thirty-four, and Thirty-five shall not apply to the City of London:

(3.) Sections Eighteen, Twenty, and Twenty-three shall not apply to any City or Place in which the Clerk is or may be appointed under "The Stipendiary Magistrates Act, 1863:"

(4.) Sections Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Thirty, Thirty-one, Thirty-two, Thirty-three, Thirty-four, and Thirty-five shall not apply to any Clerk appointed under "The Manchester Division Stipendiary Justice Act, 1854."

PART III.

Part III.

Preferring Complaints and Charges.

Time of making Complaints within Summary Jurisdiction.

11 & 12 Vict. c. 43. s. 11.
14 & 15 Vict. c. 93. s. 10. Para. 4.

39. In all Cases within the Eighth Part of this Act, when any Time is already or shall hereafter be specially limited for making any Complaint in the Act or Acts relating to each particular Case, such Complaint shall be made within the Time so limited, but where no such Time is so specially limited the Complaint (except in the Case of Rates and Taxes) shall be made within Six Months from the Time when the Offence was committed or Matter of Complaint arose, and in the Case of any Complaint for Nonpayment of Local Rates and Taxes within Twelve Months from the Date of the Rate or Assessment, subject to the following Provisions:

(1.) When the Matter of Complaint shall be the Nonpayment of Money (other than Rates and Taxes), the Time shall be reckoned from the Date of the Demand, either verbally or in Writing, or when the same is by Law due or directed to be paid:

(2.) When the Offence or Matter of Complaint shall be the Neglect of the Defendant to do some Act required by Law, other than the Payment of Money, such Offence or Matter shall

PART III.

be deemed to have been committed or to have arisen on any Day during the Default to do such Act:

(3.) Whenever by the Terms of any Act the Defendant must be "convicted," or the Penalty must be "recovered," within a limited Time, it shall be sufficient if the Complaint be made within such Time:

(4.) Where any Appeal has been made against the Decision of Justices dismissing any Complaint, and such Decision is reversed, the Complaint may be made again within Six Months from the Date of the Determination of such Appeal:

(5.) Where any Complaint shall be dismissed as herein-after provided, without Prejudice to its being made again, the Time which has elapsed between the making of it and the Date of such Dismissal shall not be counted.

Time for preferring Charges of indictable Offence.

40. In all Cases of indictable Offences where no Time is already or shall hereafter be specially limited for making or preferring the Charge or Complaint, the Charge or Complaint may be made at any Time after the Commission of the Offence.

By whom Complaints and Charges may be made.

11 & 12 Vict. c. 43. s. 10.

41. All Complaints for any Offence or Matter of Complaint within the Eighth and Ninth Parts of this Act may be made by the following Persons, unless the Act in that Behalf shall specially require some other Person to make such Complaint; (that is to say,)

(1.) In Offence Cases within the Eighth Part, by the Party aggrieved thereby, in Person, or his Counsel, Agent, or Attorney authorized verbally or in Writing, or by a Constable or other Person:

25 & 26 Vict. c. 82.

(2.) In Complaints for Local Rates or Taxes, by the Overseers of the Poor, Collector or other Officer authorized to collect the same in Office at the Time such Complaints is made:

(3.) In all other Cases within the Eighth Part, by the Party aggrieved in Person, or by his Counsel, Attorney, or Agent authorized verbally or in Writing, or by or on behalf of the Public Body authorized in that Behalf: In such Cases, where the Claim is for Wages or Compensation due to a deceased Person, his Executor or Administrator may be the Complainant:

9 & 10 Vict. c. 95. ss. 66. 68.

(4.) In Offences within the Ninth Part, by any Constable or any Person injured or defrauded or attempted to be injured or defrauded by the Offence, in Person, or by or on behalf of any Public Body or Corporation within whose Jurisdiction the Offence is committed:

But neither this Enactment nor the Provisions contained in the Second Part of this Act shall prevent or affect the Operation of any Provision of any Act or any Law which authorizes the Apprehension of any Offender without a Warrant.

PART III.

Manner of making Complaints. 11 & 12 Vict. c. 43. s. 2. 14 & 15 Vict. c. 93. s. 10.

42. The Manner of making Complaints to Justices for any Offence or Matter within the Eighth and Ninth Parts of this Act shall be as follows:

(1.) Whenever it is intended that a Summons only shall issue to the Defendant or Accused, the Complaint may be made to a Justice, or to the Clerk to the Justices at his Office, or anywhere within the County or Place, without Oath:

When Summons to issue. When Warrant to issue.

(2.) Whenever it is intended that a Warrant shall issue for the Apprehension of the Defendant or Accused in the first instance, the Complaint shall be in Writing, and on or substantiated by Oath before a Justice:

Complaints to be entered in a Book by Clerk, and considered as in Writing. 9 & 10 Vict. c. 95. s. 59.

(3.) In all Cases within the Eighth Part of this Act, whenever a Summons or Warrant is issued, the Clerk to the Justices to whom or in whose Presence the Complaint is made shall enter or cause to be entered in a Book to be kept for this Purpose in his Office, and to be called the "Complaint Book" (B.), the Date of making such Complaint, the Names and Abodes of the respective Parties, a short Statement of the Offence or Matter of Complaint, under what Act and Section it is made, and stating whether a Summons or Warrant is issued, and by whom, and when the Summons is returnable; and every such Complaint shall be numbered in every Year, according, as near as practicable, to the Order in which the same is made; and such Entry shall (when the Complaint is, under any Act now in force or hereafter to be passed, required to be in Writing,) be signed by the Complainant and the Clerk or Justice, and shall operate to all Intents as a good Complaint for any Purpose for which a Complaint in Writing is so required; but, nevertheless, such Clerk or Justice may take a separate Complaint in Writing, if he thinks fit so to do: All such Complaints in Offence Cases shall include all the Defendants whose Names are then known, and in every such Case where a separate Penalty has been incurred for the same Offence on continuous or several Days, the Complaint shall include all the Days on which the same was incurred in respect to which the Defendant has not before been proceeded against and dismissed or been convicted: Where the Amount of any Damage is recoverable as well as any Penalty from the same Person, such Damage may be alleged in the same Complaint as the

PART III.

25 & 26 Vict. c. 82.

9 & 10 Vict. c 95. s. 68.

9 & 10 Vict. c. 95. ss. 66, 68.

the Offence is charged: In the Case of Local Rates or Taxes, the Complaint shall include any Number of Rates or Taxes, whether of the same or of different Kinds, due from the same Defendant, and recoverable on the Complaint of the same Person: Where Two or more Persons, being Partners or otherwise, are jointly answerable for Local Rates or Taxes, or for Wages or Compensation, any One or more of such Persons from whom the Amount claimed has been demanded may be made the Defendant or Defendants; and where such Rates, Taxes, Wages, or Compensation respectively is due from a deceased Person, his Executor or Administrator may be made the Defendant:

Separate Complaint in certain Cases.

(4.) In Cases within the Ninth Part of this Act, wherein a Warrant shall issue, a separate Complaint (B. b.) may be taken, or it may be entered in the Book last-named, according as the Justice shall see fit:

Fees to be paid at the Time.

(5.) The Fees for the Complaint and Summons as well as for the Service of the Summons, or (if a Justice shall so require) for the Execution of the Warrant, as the Case may be, shall be paid to the Clerk to the Justices at the Time of making the Complaint:

Complaints taken out of Petty Sessions to be sent to Clerk.

(6.) Whenever a Complaint shall be received by any Justice not sitting in Petty Sessions, and whenever he shall issue any such Summons or Warrant, he shall forthwith transmit the same or the necessary Particulars thereof to the Clerk to the Justices, to be entered in the "Complaint Book:"

Any Justice in the United Kingdom may take a Deposition of a Witness upon an indictable Offence, for Use elsewhere, on Application for Process against Accused.

(7.) In any Case within the Ninth Part of this Act, any Justice in England, Scotland, or Ireland, whether the Offence was committed within that Part of the United Kingdom for which such Justice acts or not, or whether he has by Law Jurisdiction to issue Process to enforce the Appearance of the Accused or not, may (on the Application in Writing of the Person by Law authorized to make the Complaint in that Behalf who intends to apply for Process against the Accused to a Justice having such Jurisdiction, and on being satisfied that there is reasonable Ground for the Charge,) take the Deposition on Oath and in Writing of any Person residing or being within his Jurisdiction, who shall know the Facts of the Case, and shall voluntarily appear before him to depose thereto, which Deposition shall be written upon such Application, and when signed by such Person, and by the Justice taking the same, shall, upon Proof of the Handwriting of such Justice, be received as Evidence by any Justice in England, Scotland, or Ireland respectively having Jurisdiction over the Offence or Accused referred to therein and to whom the Complaint

is

Part III.

is made for the Issue of any Process against the Accused, in like Manner as if such Deposition had been originally taken before the last-mentioned Justice :

When Warrant issued in Offence Cases Justices may bind over Prosecutor and Witnesses to appear at Petty Sessions.

14 & 15 Vict. c. 93. s. 10. Paragraph 3. 11 & 12 Vict. c. 43. s. 1.

(8.) Whenever in any Offence Case within the Eighth Part of this Act, and in any Case under the Ninth Part of this Act, any Justice shall issue his Warrant, such Justice may bind the Complainant by Recognizance to appear at the Petty Sessions or Place where the Complaint is to be heard, to prosecute or give Evidence, as the Case may be, against the Defendant or Accused; and such Recognizance shall be entered in the "Recognizance Book" herein-after mentioned (W. a.) :

But nothing herein or in the next Part contained shall prevent any Justice from issuing a Warrant for the Arrest of the Defendant or Accused at any Time before or after the Time mentioned in such Summons for his Appearance.

PART IV.

Part IV.

Process to enforce Appearance.

Process to issue in Discretion of Justice or Clerk.

14 & 15 Vict. c. 93. s. 11. 11 & 12 Vict. c. 43. ss. 2, 10.

43. Subject to the Provisions contained in Section Forty-two, a Justice receiving any Complaint may, in his Discretion, in Offence Cases, and in Cases within the Ninth Part of this Act, issue a Summons or Warrant against the Defendant or Accused in the first instance; and if such Complaint be made to the Clerk to the Justices, he may, instead of issuing a Summons, refer the Complainant to a Justice; but in every Civil Case within the Eighth Part of this Act a Summons only shall be issued in the first instance.

Manner of issuing Summonses or Warrants.

44. The Manner in which a Summons or Warrant against a Defendant or an Accused upon a Complaint received under Section Forty-two shall be issued, shall be subject to the following Provisions :

(1.) Every Summons shall be issued and signed in Duplicate, and shall bear the same Number as the Complaint :

(2.) Whenever the Complaint is made to the Clerk to the Justices, he shall sign and issue the Summons, or upon his Refusal or otherwise any Justice may do so; or whenever the Complaint is made to a Justice, the Clerk to the Justices may sign and issue the Summons :

(3.) Every Summons issued shall be in the Form C, and may include One or more Offences or Matters of Complaint; and whenever the Complaint includes more than One

Offence or Matter, or continuing Offences, or more than One Rate or Tax, such Summons shall relate to the same: Such Summons may require the Defendant or Accused to produce at the Hearing of the Complaint or Charge any Property, Account Book, Paper, Licence, or Document the Subject of or in anywise relating to such Complaint or Charge:

(4.) Every Warrant shall be in the Form D, and shall name or (if his Name be unknown) describe the Defendant or Accused.

How Summonses to be served: 11 & 12 Vict. c. 43. s. 1. 14 & 15 Vict. c. 93. s. 12. By a Constable.

45. The Manner in which a Summons to a Defendant or Accused shall be served, and a Warrant issued for his Apprehension on his Non-appearance thereto, shall be subject to the following Provisions:

(1.) Every Summons shall be served by a Constable or other Person deputed by the Justices of the Sessional Division or Place, or their Clerk, for that Purpose, but not by the Complainant, unless he is such Constable or Person:

Personally anywhere, or at Abode or Office, &c.

(2.) Every Summons shall be served upon the Defendant or Accused to whom it is addressed personally, either in England, Scotland, or Ireland, or in the Isles of Man, Guernsey, Jersey, Alderney, or Sark, or if the Service is made in England, by leaving the same for him with some Inmate of the Age of Sixteen Years at least for him at his last or most usual Place of Abode, or at his Office, Warehouse, Counting-house, Shop, Factory, or Place of Business, a reasonable Time before the Day appointed for the Hearing of the Complaint; but this Enactment shall not affect the Provisions of any Act authorizing the Substitution of any other Mode of Service, or any other Mode of convening the Defendant before a Justice, in particular Cases:

Constable to endorse Service on Summons.

(3.) The Constable or other Person who has served such Summons shall endorse on the Duplicate thereof which he keeps the Time and Place and Manner of Service, and return the same to the Clerk to the Justices on or before the Day it is returnable; and shall also, if required by the Clerk to the Justices, attend at the Hearing of the Complaint to depose, if necessary, to such Service:

Where Service is to be made at a Distance, Clerk to send it to Constable there.

(4.) Where a Summons is to be served at a greater Distance than Four Miles, measured by the most direct Road, from the Place where the Complaint is to be heard, the Clerk shall, on the Day of the Issue of such Summons, send the same in Duplicate to the Superintendent or other Constable of the District or Place where the Defendant or Accused shall reside or be (together with a Form of Affidavit of such Service), to be there served in manner aforesaid, and state on the Summons the Amount of the Fee for such Service:

Proof of Service of Summons may be by Affidavit. 9 & 10 Vict. c. 95. ss. 61, 62.

(5.) Where Service of Summons is effected at such Distance as last mentioned, and also in Cases where the Person who shall have served the same shall not be present at the Hearing of the Complaint, the Service may be proved, if the Justices shall think fit, by Affidavit, purporting to be sworn before any Justice, Clerk to Justices, Commissioner to administer Oaths in Chancery in England, London Commissioner to administer Oaths in Chancery, Commissioner for taking Affidavits in any Superior Court of Law at Westminster, any Judge of a County Court, or any Registrar of a County Court; and the Fees for such Affidavit and Oath shall, with the Fee for such Service, be Costs incurred by the Complainant, and be recoverable as such:

On Disobedience of Summons, Warrant to issue for apprehending Defendant or Accused. 11 & 12 Vict. ss. 8, 9. 11 & 12 Vict. c. 43 ss. 2, 10. 11 & 12 Vict. c. 43. s. 2.

(6.) If the Defendant or Accused after being so served with such Summons shall fail to appear either personally or by his Counsel or Attorney in any Case within the Eighth Part of this Act, or personally in any Case within the Ninth Part of this Act, in obedience to such Summons, and such Service shall be proved before any Justice, at the Time and Place mentioned in such Summons for appearing to the same, such Justice may issue his Warrant (D) to apprehend the said Defendant or Accused: Provided always, that in any such Case within the Eighth Part of this Act, the Matter of Complaint shall be substantiated on Oath to the Satisfaction of such Justice before any such Warrant shall be issued.

PART V.

PART V.

WITNESSES.

Justice may compel Witnesses to attend and give Evidence.

46. Whenever in any Case it shall be made to appear to any Justice, or to the Clerk to the Justices, that any Person is able to give material Evidence touching any Complaint, such Justice or Clerk may proceed as follows:

(1.) The Justice or Clerk may, on the verbal Application of either Party, sign and issue a Summons (C.) to such Person, PART V.

11 & 12 Vict. c. 43. s. 7.
11 & 12 Vict. c. 42. s. 16.
14 & 15 Vict. c. 93. s. 13.

Issue of Summons by Justice or Clerk.

In Cases of indictable Offences Warrant may issue in the first instance.

requiring him to appear as a Witness at a Time and Place mentioned in such Summons, and (if the Justice or Clerk shall see fit) to bring with him and produce for Examination or Identification such Property, Accounts, Books, Papers, Licence, or other Documents as shall be in his Possession or Power in anywise relating to the Matter of Complaint, and as shall be deemed necessary by such Justice or Clerk; but in any Case of an indictable Offence, whenever a Justice shall be satisfied by Proof upon Oath that it is probable that such Person will not attend to give Evidence without being compelled so to do, then (the Complaint being in Writing and on Oath), instead of issuing such Summons as aforesaid, he may issue a Warrant (D.) in the first instance for the Arrest of such Person:

If Summons be not obeyed Justices may issue Warrant to arrest Witness.

(2.) In any Case when any Person to whom a Summons is issued in the first instance shall neglect or refuse to appear as a Witness at the Time and Place appointed thereby, and no just Excuse shall be offered for such Neglect or Refusal, then, after Proof that such Summons was personally served upon such Person, and (in case where the Witness is, according to Paragraph (4.) of this Section, entitled to be paid his Travelling Expenses) that his Travelling Expenses were paid or tendered to him, or that such Person is keeping out of the way of such Service, and that he is able to give material Evidence in the Case, the Justice before whom such Person should have appeared may issue a Warrant (D.) to arrest such Person, and to bring him at the Time and Place appointed for the Hearing of the Case, to testify, and to produce such Property, Accounts, Books, Papers, Licence, and Documents as may be required as aforesaid:

Justice may issue Process to Witnesses before Complaint completed or Process issued for indictable Offence.

(3.) Whenever a Justice shall be satisfied, by Proof, that any Person is able to give material Evidence for the Prosecution in any Case of an indictable Offence, and will not voluntarily appear to give Evidence, and it is expedient to hear the Evidence of such Person before any Process can be or is issued to enforce the Appearance of the Accused, such Justice may proceed in all respects as above provided as if such Process had issued, and a Time and Place were appointed for the Examination of the Witnesses against such Accused:

Service of Summons and Proof thereof.

(4.) All Summonses to Witnesses shall be issued in Duplicate, and may be served by the Complainant or other Person, in manner directed by Paragraph (2) of Section Forty-five of this Act, and the Service may be proved in like Manner

as

Tender of Expenses in certain Cases.

as Summonses to Defendants or Accused may be proved under Paragraph (5) of the last-mentioned Section; but whenever the Witness resides at a greater Distance than Four Miles, measured by the most direct Road, from the Place where the Complaint is to be heard, such Witness shall, in all other Cases than indictable Offences, be entitled to be paid at the Time of such Service the reasonable Expenses of travelling to such Place of Hearing, according to the same Scale as allowed by Law to Witnesses attending the Trial of any Offender for an indictable Offence:

What Persons shall be competent Witnesses.

14 & 15 Vict. c. 99. ss. 2, 3, 16 & 17 Vict. c. 83. s. 2.

(5.) In all Cases the Evidence of the Complainant shall be admissible in Proof of the Offence or Matter of Complaint: In all Civil Cases, and also in Offence Cases, where the Defendant is a Member of a Body Politic or Corporate, or an Officer by Law made the Defendant, the Evidence of the Defendant or his Wife shall be admissible in Proof for or against the Complainant, and may be summoned as a Witness for such Complainant; and for that Purpose the several Provisions of this Section shall be applicable to such Defendant, Wife or Husband, in the same Manner as to any other Person summoned as a Witness: In Offences Cases, where a Husband is charged with neglecting to maintain his Wife, or for running away, whereby she becomes chargeable to any Parish, Union, or Asylum, the Evidence of his Wife shall be admissible in proof of the Offence:

Witnesses refusing to be examined may be committed from Time to Time till they consent to be examined.

(6.) Whenever any Person shall appear as a Witness, either in obedience to a Summons or by virtue of a Warrant, (or shall be present, and shall be verbally required by the Justice or Justices to give Evidence,) and he shall refuse to be examined upon Oath concerning the Matter of the Complaint, or shall refuse to take such Oath, or, having taken such Oath, shall refuse to answer such Questions concerning the said Matter as shall then be put to him, or shall refuse or neglect to produce any such Property, Accounts, Books, Papers, Licence, or Documents as aforesaid, (without offering any just Excuse for such Refusal,) the Justice or Justices then present may adjourn the Hearing for any Period not exceeding Eight clear Days, and may in the meantime by Warrant (E.) commit the said Witness to Gaol, unless he shall sooner consent to be sworn or to testify as aforesaid, or to produce such Property, Accounts, Books, Papers, Licences, or Documents, as the Case may be; and if such Witness, upon being brought up on such adjourned Hearing, shall again refuse to be sworn or to

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But this not to prevent the Case from being otherwise disposed of.

testify as aforesaid, or to produce such Property, Accounts, Books, Papers, Licences, or Documents, as the Case may be, the said Justices, if they shall see fit, may again adjourn the Hearing, and commit the Witness for the like Period, and so again from Time to Time until he shall consent to be sworn or to testify as aforesaid, or to produce such Property, Accounts, Books, Papers, Licences, or Documents, as the Case may be; (provided that no such Imprisonment shall in any Case within the Eighth Part of this Act exceed One Month in the whole;) but nothing herein contained shall be deemed to prevent the Justice or Justices from sending any such Case for Trial, or otherwise disposing of the same in the meantime, according to any other sufficient Evidence which shall have been received by him or them:

Witnesses to be protected from Arrest for Debt; and if arrested shall be discharged by the Court.

And no Person who shall be summoned to attend before any Justice as a Witness shall be liable to Arrest for Debt whilst at the Place where such Justice shall sit, or whilst proceeding to or returning from the same, provided he shall proceed and return by the most direct Road without unnecessary Delay; and it shall be lawful for the Court out of which the Writ or Process shall have issued to order the Discharge of any Person who shall be so arrested.

Part VI.

PART VI.

Adjourning and remanding Cases.

Clerk to Justices to to send Notice when Cases within Summary Jurisdiction adjourned.

47. Whenever the Hearing of any Complaint for any Offence or Matter within the Eighth Part of this Act is adjourned pursuant to any Provision of this Act, the Justice may make such Adjournment to such Time and Place, and upon such Terms, as to Costs to be paid by either Party to the other, or otherwise, as he shall think fit; and the Clerk to the Justices shall send Notice by Post of such Adjournment to such of the Parties as shall not attend by themselves only, their Counsel or Attorneys, and whose Cases shall be so adjourned.

When Cases of indictable Offences may be remanded.
11 & 12 Vict. c. 42. s. 21.
14 & 15 Vict. c. 93. s. 14.

48. In any Case within the Ninth Part of this Act, the Justice before whom the Accused shall appear or be brought may defer the Examination of all or any of the Witnesses, if it shall become necessary or advisable to do so from the Absence of Witnesses, or upon the Request of the Parties, their Counsel or Attornies, or for any Variance between the Complaint, Summons, or Warrant, and the Evidence adduced at such Examination, or for any other reasonable-

For what Periods.

able Cause; and such Justice may accordingly, and in his Discretion, remand the Accused, or bail him, as herein-after provided, and so from Time to Time, for the following Periods: The Adjournment or Remand shall not, if the Accused be sent to Gaol, exceed Eight clear Days at One Time, but if he be bailed as herein-after provided it may be for such longer Period as the Justice thinks fit: This Enactment, with all Provisions relative thereto, shall be read in lieu of Section Twenty-one of the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-two, whenever referred to or incorporated in any Act.

Remanding Cases within Part 10 of Act.
18 & 19 Vict. c. 126. s. 5.

49. When an Accused appears or is brought before One or more Justices who is or are not then sitting at the usual Place of holding Petty Sessions, and it is proposed to dispose of the Case under the Tenth Part of this Act, the Accused may be remanded to the next Petty Sessions, provided it is not for a longer Period than Fourteen Days.

Justice on Adjournments or Remands to admit to Bail or commit to Prison.
14 & 15 Vict. c. 93. ss. 14, 20. (last Clause).

50. Whenever in the Cases mentioned in Sections Forty-seven, Forty-eight, and Forty-nine the Justice adjourns the further Hearing of the Case, or remands the Accused, he may, in his Discretion, do any of the following Things:

(1.) Suffer the Defendant to go at large on his Promise to attend on the Hearing or further Hearing of the Complaint:

(2.) If the Complaint is for an Offence, and there shall be a Complaint in Writing and on Oath that the Defendant or Accused is guilty of the Offence, may commit him to Gaol by Warrant (E.), or may discharge him upon his entering into a Recognizance, with or without Surety, conditioned for his Appearance at the Time and Place to which such Hearing or further Hearing is adjourned.

Justice may have Accused before him before Expiration of Remand.
11 & 12 Vict. c. 42. s. 21.

51. Whenever any Accused, in the Cases mentioned in Section Forty-eight, is remanded to Gaol, the Justice may order him to be brought before him, or before any other Justice for the same County or Place, at any Time before the Expiration of the Time for which such Accused is so remanded.

Clerk to adjourn Petty Sessions or Cases where no Justice attends.
21 & 22 Vict. c. 100. s. 8, para. 5.

52. In case no Justice, or only One Justice, shall be in attendance for One Hour after the Time appointed for the holding of any Petty Sessions, such Justice may, or if none the Clerk to the Justices may, adjourn the Holding of such Petty Sessions, and the Hearing of all Proceedings thereat, to the next Petty Sessions Day, and admit to Bail any Defendant or Accused there brought in Custody of a Constable, in like Manner as a Justice is hereby

PART VI.

authorized to do on Adjournments or Remands; and upon such Adjournment being made the Clerk shall make an Entry thereof on the Minutes, and post a Notice thereof on the Door of the Room or Building where the Petty Sessions is held; and all Persons summoned or under Recognizance to attend thereat shall, without a fresh Summons or Recognizance, be bound to attend on the Day to which such Adjournment is made.

In indictable Offences Justice may bind over Witnesses to appear on Remand Day.
14 & 15 Vict. c. 93. s. 13, para. 6.

53. Whenever in the Cases mentioned in Sections Forty-eight and Forty-nine the Hearing of the Case or the Examination of the Witnesses is deferred, the Justice may require to be bound by Recognizance (such Recognizance being entered in the "Recognizance Book," Wa.), any Prosecutor or Witness who shall appear before him or them to appear at the Time and Place appointed for the Hearing of the Case or Continuation of such Examination, and if he refuse to be so bound shall commit him to Gaol until the Time so appointed, unless in the meantime to enter into such Recognizance before some Justice of the County or Place in which such Gaol is situated.

PART VII.

PART VII.

PLACE OF HEARING, AND PROCEEDINGS THEREAT.

Place of Hearing:
14 & 15 Vict. c. 93. s. 8.
In Town Hall or other Public Building.
12 & 13 Vict. c. 18. s. 2.
18 & 19 Vict. c. 126. s. 15.

54. The Places where Justices shall sit in the Discharge of their Duties shall be subject to the following Provisions:

(1.) Whenever any Place is hired or otherwise provided for the holding of Petty Sessions, within or for any Sessional Division under Section Two of the Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighteen, the Petty Sessions shall be held in such Place, and whereever in any other Place there is a Town Hall, Court House, or other Public Building therein belonging to the County or Place, or any Court House provided by the Commissioners of Her Majesty's Treasury under the Act of the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, the Petty Sessions may be held therein, or any Cases heard by any One Justice thereat, and such Town Hall, Court House, or other Building may be used for the Purpose of holding any Petty Sessions or hearing such Cases without any Charge for Rent or other Payment, save and except the reasonable and necessary Charges for lighting, warming, and cleaning when such Public Building is used for the Purpose of holding Petty Sessions, and for all other Expenses necessarily incidental to the Use of the said Building, for the Purposes of the said Petty Sessions or Hearing: Provided always, that in such last-mentioned Case the necessary Arrangements shall be made so that the Sittings of Petty Sessions or such Hearing shall not interfere with the Business of the County or Place, or other Business usually transacted in such Town Hall, Court House, or other Public Building, or any Purpose for which the same may be used by virtue of any Act of Parliament in that Behalf:

(2.) In no Case shall the Petty Sessions be held or such Cases heard (where a Room be elsewhere provided by the County or Place) in any Alehouse, Victualling House, Beerhouse, or Refreshment House:

Not to be held in Public House.

(3.) No Justice shall hear and determine any Case within the Eighth Part of this Act at any other Place or Places than that provided or used for the holding of Petty Sessions as herein-before mentioned, nor between the Hours of Nine in the Morning and of Five in the Afternoon, except in the following Cases; namely, Drunkenness, Drunkenness and Riotous or Indecent Behaviour, any Offence under the Act of the Fifth Year of King George the Fourth, Chapter Eighty-three, or the Acts amending or extending the same, Offences committed in any Workhouse or Asylum by any Inmate or Person maintained or relieved therein, Complaints under the Acts relating to any of Her Majesty's Revenues whenever the Defendant is in Custody, Complaints between Masters, their Apprentices or Servants, Deserters, Offences by Seamen, and Complaints for Sureties to keep the Peace or to be of Good Behaviour:

Justice may hear certain Cases out of Petty Sessions.

Provided always, that Two Justices, if they shall see fit, may hear and determine out of Petty Sessions any Complaint, when the Defendant shall be in Custody, and shall be unable to give Bail for his Appearance at Petty Sessions, and which Fact shall be entered upon the Proceedings: Provided also, that nothing herein contained shall be construed to prevent any Justice or Justices acting out of Petty Sessions from making any Order, Nomination, or Appointment, (not being in the Nature of a Conviction, or of an Adjudication upon a Complaint,) either on an ex-parte Application or otherwise, which he or they may be authorized or required by Law to make.

Provisos.

55. The Justices residing within or usually acting for each Sessional Division or Place shall, at a Special Sessions held for the Purpose within *Three Months* after the passing of this Act, (of which *Ten Days* Notice at the least, signed by Two of such Justices, shall

Chairman of Petty and Special Sessions to be elected in each Division, &c.

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shall be transmitted by Post to the Address of all the other such Justices,) elect by a Majority of those present One of such Justices to be their permanent Chairman in Special as well as in Petty Sessions; and in case the Chairman shall die, or resign, or cease to be such Justice, such Justices shall at a like Special Sessions, convened in like Manner, elect some other Justice to fill such Office of Chairman; and if at any Special or Petty Sessions the Chairman shall be absent, the Justices present shall elect in like Manner One of those present to be Chairman for that Day only: Provided always, that no such Chairman shall be entitled to give, in case of an equal Division of Votes, a Second or casting Vote on any Question before the Special or Petty Sessions which is determined by Votes.

Place in which Justice shall sit to hear Summary Cases to be deemed an open Court.
11 & 12 Vict. c. 43. s. 12.

56. The Right of the Public to have Access to the Place in which Justices shall sit shall be subject to the following Provisions:

(1.) In all Cases within the Eighth, Tenth, and Eleventh Parts of this Act, the Place in which any Justice or Justices shall sit to hear and determine any Complaint shall be deemed an open Court, to which the Public generally may have Access, so far as the same can conveniently contain them:

Place in which Proceedings for indictable Offences are heard not to be deemed an open Court without Consent of Justice.
11 & 12 Vict. c. 42. s. 19.
14 & 15 Vict. c. 93. s. 9.

(2.) In all Cases within the Ninth Part of this Act, the Place in which any Justice shall sit to take any Deposition or Statement shall not be deemed an open Court for that Purpose, but such Justice in his Discretion, may order that no Person (the Counsel or Attorney for the Prosecution and for the Accused then being in such Court only excepted) shall have Access to or be or remain in such Place without the Consent or Permission of such Justice, if it appear to him that the Ends of Justice will be thereby best answered:

(3.) In any of the Cases before mentioned the Justice or Justices may order as last mentioned whenever the Charge or the Evidence relates to any indecent or immoral Conduct of the Defendant or Accused, or such Evidence is unfit for Publication:

(4.) No Application or Complaint upon which Process can be issued to a Defendant or Accused shall be made in open Court.

Parties to be allowed to have Counsel or Attorney.
11 & 12 Vict. c. 43. s. 12.

57. The Parties by and against whom any Complaint for any Offence or Matter of Complaint, or in respect to or on behalf of whom any Application is made to and before Justices, or to the Clerk to the Justices, shall be at liberty and shall be admitted to conduct their Case, or make such Application, or to make their full

Answer and Defence thereto respectively, and to have the Witnesses examined and cross-examined by Counsel or Attorney on their Behalf: Provided always, that in every Case within the Ninth Part of this Act the Accused must personally appear before the Justice.

Justices may fine or commit for Contempt of Court.

14 & 15 Vict. c. 93. s. 9.

58. If any Person shall wilfully insult, or make use of any abusive, insulting, or threatening Language or Behaviour towards any Justice or Justices so sitting in any such Court or Place, or shall commit any other Contempt of any such Court, it shall be lawful for such Justice or Justices, by any verbal Order, either to direct such Person to be removed from such Court or Place, or to be taken into Custody, and kept until the rising of the Court, or, at any Time before the rising of such Court, by Warrant (K.) to commit such Person to Gaol for any Period not exceeding Seven Days, or to adjudge such Person to forfeit and pay any Sum not exceeding *Forty Shillings*, which in case of Nonpayment may be recovered as other Penalties are hereby made recoverable; but no Proceeding under this Section shall be subject to any Appeal.

Persons committing Perjury before Justices.

14 & 15 Vict. c. 100. s. 19.

59. The Provisions of Section Nineteen of the Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred, shall apply to any Person guilty of wilful and corrupt Perjury as therein mentioned before any One Justice, or before any Metropolitan Police or Stipendiary Magistrate, as well as before "Justices of the Peace in Special or Petty Sessions," as therein provided; and in every Case dealt with under the said Section it shall not be necessary to take in Writing any Depositions of Witnesses to prove the said Offence as in other Offences which are indictable.

Proceedings not prejudiced by Death of Prosecutor, &c.

60. No Proceeding in any Case before Justices shall be abated or prejudiced by the Death of the Complainant in such Case, or, if the Complainant be a Constable, by his Resignation or Removal; but all such Proceedings may be continued by the Representative or Successor of such Complainant.

PART VIII.

Part VIII.

Summary Jurisdiction.

General.

To what Cases and Matters this Part of Act shall apply.

61. The Provisions contained in this Part of this Act shall, so far as all or any of them can be made applicable in the particular Case or Matter, and shall not be inconsistent with the Provisions of any Act relating to such Case or Matter (or shall not be expressly excepted in this Act), apply to the several Cases and Matters following, whether any of them are or may be by Law required to be heard in Petty or Special Sessions or not; (that is to say,)

Summary Convictions. 11 & 12 Vict. c. 43. s. 1.

(1.) Every Offence, Act, or Default (whether against any Statute, or the Byelaws, Rules, Orders or Regulations duly made by any Company, Local Board, Corporation or other Body,) for which the Defendant is liable by Law upon a Summary Conviction for the same, to be imprisoned or fined, or otherwise punished, and not being an Offence within the Tenth Part of this Act:

Complaints for Orders for Payment of Money or otherwise.

(2.) Every Complaint upon which Justices have Authority by Law summarily to make any Order for the Payment of Money or for the doing or performing of some Act by the Defendant, or by any Society constituted according to Law, other than the Payment of Money:

Complaints for determining Compensation. 8 Vict. c. 18. 11 & 12 Vict. c. 43. ss. 1, 35.

(3.) Every Application or Complaint upon which Justices shall have Authority by Law summarily, to adjudge, award, or determine any Question or Amount of Compensation, Expenses, Charges, or Damages due or to be made or paid to or by any Person, Bodies Politic or Corporate, or other Matter:

Complaints for Local Rates or Taxes. 12 & 13 Vict. c. 14. 25 & 26 Vict. c. 82.

(4.) Every Application or Complaint upon which Justices have Authority by Law summarily and without making any previous Order, to issue their Warrant of Distress for the levying of any Sum of Money to which any Person is assessed, rated, or taxed in or by any Poor, Highway, or Church Rate or Assessment, or in or by any other Local Rate, Tax, or Assessment directed by any General or Local Act of Parliament to be enforced or recovered before Justices:

Surety for the Peace.

(5.) Every Complaint for Surety to keep the Peace or to be of good Behaviour:

Other Complaints.

(6.) Every other Application, Information, or Complaint upon which Justices have Authority by Law summarily to hear and determine any Cause or Matter of Complaint not herein-before specified:

Cases after Notice.

(7.) Any Case in which a Justice may act or exercise Jurisdiction upon or after Notice given by one Party to the other or otherwise, and where a Summons is by Law dispensed with:

Possession of Premises.

(8.) Proceedings in respect of the Recovery of the Possession of deserted Premises or small Tenements before Justices:

And the Cases mentioned in Paragraphs (1 and 5) shall for all Purposes be deemed Criminal Proceedings, and the Cases mentioned in the other Paragraphs shall for all Purposes be deemed Civil Proceedings.

62. If

Justices may hear Offence Cases where Offender is brought before them by a Constable;

62. If any Person be brought before a Justice in the Custody of a Constable charged in an Offence Case, such Justice need not inquire into the Legality or Illegality of the Apprehension, Arrest, or Detention of the Defendant, but may proceed to the Hearing of the Complaint, and adjudicate thereon, or in respect of any other Cause of Complaint which is supported by the Evidence adduced, as if the Defendant had appeared before him in obedience to a Summons, or had been brought before him by virtue of any Warrant; but if the Offence shall appear to have been committed out of the Jurisdiction of such Justice, he shall verbally order the Constable to convey the Defendant before some Justice for the County or Place where the Offence was committed.

or on voluntary Appearance of Defendant.

63. The Hearing of any Complaint and any Adjudication thereon may take place and be made in any Case where the Defendant thereto voluntarily appears personally or by his Counsel or Attorney, and consents to such Hearing (the Complainant being also present and consenting thereto), without any Summons in that Behalf being previously issued or served.

By Consent of Parties One Justice may hear and determine where Two required.

64. In any Case where by Law Two or more Justices are required to hear and determine the Offence or Matter of Complaint, and there shall be only One Justice present at the Time appointed, such One Justice may, if both Parties to the Proceeding shall in Writing entered in the Complaint Book or upon the Minutes consent thereto, hear and determine the same.

Time for objecting to the Jurisdiction of a Justice.

65. When any Objection is proposed to be made to the Competency or Jurisdiction of a Justice to hear and determine any Complaint (other than on the Ground of a Claim of Right or Title mentioned in Section Sixty-six), such Objection, and the Grounds thereof, shall not be made until after the Evidence in support of the Complaint has been adduced.

What Course Justices are to take on Claim of Right or Title being made.

24 & 25 Vict. c. 100. s. 46.
24 & 25 Vict. c. 97. s. 52.
6 & 7 Vict. c. 30. s. 2.
19 & 20 Vict. c 10. 8. s. 25.

66. Whenever upon the Hearing of any Complaint any Question shall incidentally arise as to the Title to any Property, Lands, Tenements, or Hereditaments, or to any Toll, Fair, Market, Privilege, or Franchise, or any Interest therein or accruing therefrom, or as to any Bankruptcy or Insolvency, or any Execution under the Process of any Court of Justice, or as to the Possession or Ownership of any Property, or as to the Obligation of repairing any Wall, Building, or Highway (except where the Complaint is made under the Highway Acts for the Non-repair of such Highway), or as to the Right of the Defendant to commit the Act charged or complained of as an Offence, and the Defendant shall in either of such Cases object, (on such Grounds as in the Opinion of the Justice or Justices shall be *boná fide*, and not merely frivolous or for the sake of Delay) to the Jurisdiction of the Justice or Justices to hear and determine the Complaint, the Justice or Justices shall forbear to proceed further, and shall decline to make any Adjudication upon such Complaint, unless the Parties thereto shall consent in Writing to the Justices determining the Complaint.

Certain Provisions of 17 & 18 Vict. c. 125. as to Evidence to apply to Cases.

67. Sections Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, and Twenty-seven of "The Common Law Procedure Act, 1854," shall extend to the Proceedings upon the Hearing of any Complaint within this Part of this Act, the Word "Justice" being read instead of the Word "Judge," and the Word "Hearing" instead of the Word "Trial," wherever mentioned in any of the said Sections: In any such Proceedings, every Instrument liable to Stamp Duty shall be admitted in Evidence, although it may not have the Stamp required by Law impressed thereon, or affixed thereto.

Stamp unnecessary on Documents. 17 & 18 Vict. c. 83. s. 27.

Hearing Cases.

Proceedings upon hearing Cases:

68. The Proceedings upon the Hearing of Complaints shall be subject to the following Provisions:

Where both Parties appear Case to be heard on both Sides. 14 & 15 Vict. c. 93. s. 20. 11 & 12 Vict. c. 43. ss. 13, 14.

(1.) Whenever the Defendant or his Counsel or Attorney shall be present the Substance of the Complaint shall be stated to him, and he shall be asked if he admit the Truth of the Complaint, and if he thereupon admit the Truth of the Complaint, then the Justice shall, if he shall see no sufficient Reason to the contrary, convict or make an Order or other Adjudication against him accordingly; but if he do not admit the Truth of the Complaint then the Justice shall proceed to hear any Observations of the Counsel or Attorney of the Complainant, and then such Evidence as may be adduced in support of the Complaint, and also to hear the Defence, and such Evidence as may be adduced on behalf of the Defendant, and also such Evidence as the Complainant may adduce in reply, if such Defendant shall have given any Evidence other than as to his the Defendant's general Character; and the Complainant or his Counsel or Attorney shall be entitled to make any Observations in reply upon the Evidence given by the Defendant, and the Defendant or his Counsel or Attorney shall be entitled to make any Observations in reply upon the Evidence given by the Complainant in reply: If the Complaint shall negative any Exemption, Exception, Proviso, or Condition in the Statute on which the same shall be framed, or if Proof of the Affirmative would acquit the Defendant

Reply allowed.

Proof of a Negative not necessary.

Defendant of the Offence or Matter of Complaint, it shall not be necessary for the Complainant to prove such Negative, but the Defendant may prove the Affirmative thereof, if he will have Advantage of the same: The Justice may, if he think fit, at any Stage of the Hearing, and at any Time prior to the final Adjudication of the Case, call for and receive any Evidence which may appear to him necessary or expedient for the more perfectly eliciting the true Facts of the Case, and may adjourn the Hearing for that Purpose:

Where Defendant does not appear Hearing may be ex parte.

(2.) Whenever the Defendant or his Counsel or Attorney shall not appear at the Time and Place mentioned in the Summons, and it shall appear to the Justice that the Summons was duly served, as directed by Section Forty-five of this Act, Paragraph (2), and no sufficient Grounds shall be shown for an Adjournment, the Justice may either proceed *ex parte* to hear and determine the Complaint, or may adjourn the Hearing to a future Day, and issue his Warrant for the Apprehension of the Defendant as directed by the said Section Forty-five, Paragraph (6):

Where Complainant does not appear Case to be dismissed or adjourned.

(3.) Whenever the Defendant or his Counsel or Attorney shall appear at the Time and Place appointed in the Summons, or shall be brought before the Justice by virtue of any Warrant, then, if the Complainant (having, in the Case of a Warrant, had due Notice of the Defendant's Arrest, either from the Constable or Clerk to the Justices) do not appear by himself or his Counsel or Attorney, the Justice may either dismiss such Complaint, or may adjourn the Hearing to a future Day:

Justice may take down Evidence in Writing.

(4.) Whenever any Justice shall proceed to hear and determine any Complaint he may, when required so to do by either Party or his Counsel or Attorney, or, in his Discretion, take or cause to be taken in Writing Minutes of the Evidence, or of so much thereof as shall be material, in a Book to be kept for that Purpose by the Clerk to the Justices, or in some other convenient Mode, and which Minutes shall at the same Time be signed or initialed by the Justice by whom such Complaint is heard, or by the Clerk to the Justices, and may afterwards be used as Evidence before any other Justice hearing and determining the Complaint, in case the Hearing has been adjourned for further Evidence or from any other Cause:

Adjournment of Court generally.

(5.) Whenever all the Cases shall not have been heard and determined on any Day appointed, the Justice then present may adjourn the remaining Cases to such other Day as he shall see fit:

PART VIII.

Other Adjournments, and at Request of Parties.

(6.) No Adjournment of the Hearing shall take place at any other Stage of the Proceedings than the Commencement of the Complainant's Case, or the Close of the Defendant's Defence, unless the Justice shall think fit; but the Justice may adjourn the Hearing on account of the Absence of Witnesses or other reasonable Cause:

Justice may require personal Appearance of Defendant.

(7.) Whenever the Justice shall deem it expedient in an Offence Case that the Defendant shall personally appear at such Hearing for the Purpose of Identification or otherwise, he may (whether the Defendant appears by Counsel or Attorney or not) adjourn the Hearing to a future Day, and issue his Warrant for the Apprehension of the Defendant:

Hearing where joint Defendants.

(8.) Whenever there are Two or more Defendants in the same Complaint, the Charge or Matter of Complaint may be heard against all together, or each separately, in the Discretion of the Justice; but if One or more plead Guilty, such One or more may be examined as a Witness or Witnesses for the other or other Defendants, either before or after the Justice shall have adjudicated upon such Defendant or Defendants so being such Witness or Witnesses:

When a Difference of Opinion amongst the Justices.

(9.) Whenever there shall be a Difference of Opinion amongst the Justices present at such Hearing, and who interfere or act therein, the Complaint shall be determined by the Majority of such Justices, if more be present than the Number required by Law to determine such Complaint, or if only such Number be present, then all of them must agree in the same Opinion, or the Hearing be adjourned, or if more than Two Justices be present who are equally divided in Opinion, then the Hearing shall be adjourned: In any Case if they do not adjourn it shall be deemed to be a Dismissal of the Complaint without Prejudice to its being again made:

Decision may be given in Absence of Justice determining Case.

(10.) Where the Hearing has been adjourned for the Purpose of considering the Decision upon the Complaint, and the Justice who heard the Case is unable to attend at the Day appointed for pronouncing such Decision, the written Decision of such Justice (on Proof of his Signature) shall be read by any other Justice present, or by the Clerk to the Justices, and shall for all Purposes be taken and received as the Decision of the Justice signing the same.

Adjudication upon Cases.

Adjudicating upon Cases:

69. In all Cases the Justice, having heard what each Party has to say, and the Evidence adduced by each, shall either make such Conviction, Order, or other Adjudication (herein-after called the "Decision")

14 & 15 Vict. c. 93. s. 21.
11 & 12 Vict. c. 43. s. 14.

Justices either to convict or to dismiss the Complaint on the Merits or without Prejudice.

Entry of Convictions, Orders, &c.

"Decision") as shall be authorized by the Act under which the Complaint is made, or shall dismiss the Complaint, either upon the Merits or without Prejudice to its being again made, or for some reasonable Cause may decline to make any Adjudication upon the Complaint; and an Entry of such Decision shall (except in Complaints for Local Rates or Taxes) be made as follows:

(1.) The Clerk to the Justices shall thereupon enter the Particulars of such Case, with the Number, if any, originally attached to the Complaint, and the Substance of the Decision thereon, and the Names of the Justices or the required Number of them making such Decision, in a Book to be kept for that Purpose, to be called the "Register of Decisions," (G.) and shall, in case of a Dismissal, state whether the same is upon the Merits, or without Prejudice to a further Complaint; and such Entry, when the Clerk to the Justices shall have signed his Name opposite to it, or after it, (which he is hereby required to do,) shall be deemed to all Intents and Purposes a Conviction, Order, or other Adjudication, as the Case may be; and on a subsequent Conviction of the same Defendant for a subsequent Offence such Entry or a Copy thereof, certified by the Clerk to the Justices, or the Clerk of the Peace, as hereafter provided, (H b.), shall be sufficient Evidence to prove a Conviction for the former Offence, in the same Way as such Conviction or certified Copy may now be received in Evidence; and the Conviction shall be presumed to have been unappealed against until the contrary be shown:

If Conviction, &c. made out of Petty Sessions.

(2.) Whenever any Justice shall make any such Decision out of Petty Sessions in any of the Cases permitted by Section Fifty-four of this Act to be decided out of Petty Sessions, he shall either enter or cause to be entered by the Clerk to the Justices the same in the "Register of Decisions" in manner aforesaid, or shall enter the Substance of the Decision in the Form of Certificate (H a.), and shall forthwith, or at the furthest before the next Meeting in Petty Sessions, deliver or forward such Certificate to the Clerk to the Justices, who shall enter the same in the said Register and sign the same (with a special Note why he has so done), and shall preserve the original Certificate as his Voucher for so doing:

Returned Entry of Cases decided out of Petty Sessions in which

(3.) The Superintendent or Constable of the District shall make a Return to the Clerk to the Justices at each Petty Sessions of the Particulars of any Cases in which any Justice of the Sessional Division shall have made any Decision or issued any Warrant out of Petty Sessions, and in which any

Constables prosecute or act.

Constable of such District or any Parish in such District shall have been engaged, since the next preceding Petty Sessions:

Alphabetical Index.

(4.) An Alphabetical Index of the Defendant's Names in such Register shall be made and kept by the Clerk to the Justices:

Inspection of Register.

(5.) Such Register may be inspected by any Justice, or by the Clerk of the Peace, or any Clerk to Justices, at all reasonable Times:

Convictions, &c. need not be returned to Quarter Sessions as hitherto, but Certificate to be given to Party.

And it shall not hereafter be necessary to make out as a separate Instrument or to lodge with the Clerk of the Peace any Conviction, (except when required under any Revenue or other Act to be a separate Document,) or any Order or other Adjudication so made and entered; but the following Provisions shall be observed:

Entries in Offence Cases to be sent to Clerk of the Peace, and recorded.

(6.) A Return of Summary Convictions containing a Copy of all such Entries in Offence Cases shall be transmitted by the Clerk to the Justices to the Clerk of the Peace of the County or Place Four Times in every Year previous to or at each Quarter Sessions, and all such Returns shall be by him filed among the Records of the General Quarter Sessions of the Peace, and shall be called the "Record of Summary Convictions:" Such Record shall be alphabetically indexed by the Defendant's Names, and such Record or Index may be inspected by any Person at all reasonable Times, on Payment of the Sum of One Shilling for the Search, and Two Shillings and Sixpence for each certified Copy of any Entry therein (H b.) furnished:

Parties entitled to Copy of Entry.

(7.) If either Party, or his Counsel or Attorney, shall require it, a Copy of any Entry of any Decision so made in the aforesaid "Register of Decisions," (certified and signed by the Clerk to the Justices to be a correct Copy, H a., or H b.,) shall be delivered to him at any Time on Payment of the proper Fee for the same in the Second Schedule hereto:

As to Special Forms.

(8.) This Enactment shall not prevent the Justice drawing up or signing a more formal Order, either in the Statutory Forms now in use, or in the Form (Y.), in Cases of Bastardy, or Special Cases, when either of the Parties shall require it:

Dismissal on the Merits to be a Bar to future Proceedings.

24 & 25 Vict. c. 100. s. 44.

In case of a Dismissal, where the same shall be stated therein by the Justice to have been a Dismissal on the Merits, or that any Assault was of a trifling or justifiable Nature (and which he is hereby required to state if the Case be so, and the Complaint was made by or on the Behalf of the Party aggrieved), such Certificate, upon being produced, shall be a Bar to any subsequent Complaint or Proceeding, civil or criminal, for the same Matters respectively against the same Party.

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General Powers of Justices in adjudicating. 14 & 15 Vict. c. 93. s. 22.

70. In all Cases under this or any other Act the Justice adjudicating on any Complaint shall or may exercise the following general Powers, whether the same or any of them shall be authorized by the Act under which the Complaint is made or not:

To state Terms of Decision publicly.

(1.) He shall state the Terms of his Decision, and the Mode of enforcing it, in the Presence of the Parties appearing, or the Counsel or Attorneys of the Parties; but in Civil Cases the Term of Imprisonment in default of Payment or Distress, if not stated at the Time, is to be determined by the Justice (subject to this Act) enforcing the Decision:

Fix the Time and Manner of Payment. 11 & 12 Vict. c. 43. s. 23.

(2.) In every Case where the Justice is authorized to award any Penalty or other Sum, or any Sum for Costs or otherwise, he may direct that the same, together with the Costs of the other Party, shall be paid forthwith, or at such Time as he shall see fit to fix for that Purpose:

Enforcing Sum when payable by Instalments.

(3.) In Civil Cases, and also in Cases where any Sums are declared forfeited upon a Recognizance estreated under this Act, the Justice may allow and direct that the Sum awarded or forfeited be paid by Instalments; and in default of Payment of any Instalment, the whole Amount due may be enforced, or the Amount of the Instalment or Instalments in arrear only, in the same Manner as the full Amount ordered to be paid, and so from Time to Time until the full Amount ordered to be paid is, with all Costs, fully paid and satisfied:

Recognizance in certain Cases in lieu of Penalty, &c.

(4.) A Justice may, in any Case of Assault or other Offence in which a Breach of the Peace has been or may be occasioned, require the Defendant to be bound by Recognizance, with or without Surety or Sureties, to keep the Peace or to be of good Behaviour, either instead of or in addition to adjudging any Penalty or Imprisonment:

Limitation of Time for Surety to keep the Peace, &c. 16 Vict. c. 30. s. 3.

(5.) In Cases of Surety to keep the Peace or to be of good Behaviour, required under this or any other Act, the Justice shall not require the Recognizance to be entered into, or Surety or Sureties found, for a longer Period than Twelve Months; but he may in default commit the Party to Prison for the Period so required, or for any less Period, unless the Recognizance and such Surety or Sureties be sooner entered into or found:

May order Offenders under 16 to be whipped. 25 Vict. c. 18. 26 & 27 Vict. c. 44.

(6.) When any Male Person whose Age does not, in the Opinion of the Justice or Justices before whom he is charged, exceed the Age of *Sixteen* Years, is convicted of any such Offence or Act as is mentioned in Paragraph (1) of Section Sixty-one, or of Two or more such Offences or Acts, at the same Time and Place, before One or more Justice or Justices, he or they may adjudge him to be

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be once privately whipped with a Birch Rod, by some Constable verbally named by the Justice or Justices, either instead of or in addition to the Penalty or Imprisonment authorized, the Number of Strokes inflicted not being more than Twelve when the Age of the Offender does not exceed Fourteen Years, and not more than Twenty-five when above that Age, such Number to be in all Cases named at the Time of Conviction:

Costs may be awarded in all Cases. 11 & 12 Vict. c. 43. s. 18.

(7.) In all Cases the Justice may order the Defendant to pay to the Complainant such Sum for Costs as he shall deem fair and reasonable, and such Costs may (except in Complaints for Rates or Taxes) include Compensation to the Complainant for his and his Witnesses Loss of Time and Expenses, the Fees of the Clerk to the Justices and of the Constable, and the Fee of the Complainant's Counsel or Attorney (such last-mentioned Fee in no Case to exceed the Sum of One Guinea):

Costs where Imprisonment only adjudged. Id. s. 24.

(8.) In Offence Cases where Imprisonment only is adjudged under the Act in that Behalf, or in default of finding Surety, the Justice may order the Defendant to be imprisoned for the Costs for an additional Period (according to the Scale set out in Section Seventy-one) to that authorized by the Act on which the Complaint is founded:

Costs where Order is obeyed otherwise.

(9.) In Civil Cases where the Defendant is ordered to do some Act other than paying Money, and he obeys such Order, except as to the Costs, the Amount of Costs ordered shall be recovered as in Paragraph (20) of this Section is provided for the Recovery of Costs separately:

Costs on Dismissal of Complaint. Id. s. 26.

(10.) In every Case of Dismissal of a Complaint the Justice may order the like Costs to be paid by the Complainant to the Defendant, and also in Cases where for some reasonable Cause (other than on the Ground of the Jurisdiction of the Justice being ousted by a Claim of Right or Title being bonâ fide set up) he declines to make any Adjudication upon a Complaint, he may order the like Costs to be paid by either Party to the other, and the Amount thereof shall be recovered as in Paragraph (20) of this Section is provided for the Recovery of Costs separately:

Costs on Adjournment of Hearing.

(11.) In every Case where there shall be an Adjournment of the Hearing, and the Justice shall order as Part of the Terms of such Adjournment that either Party shall pay to the other any Sum for Costs, the Amount thereof (if not paid at the Time) shall be recovered as in Paragraph (20) of this Section is provided for the Recovery of Costs separately:

Recovery of Costs only.

(12.) In all other Cases where any Sum for Costs only may under any Act be ordered by a Justice to be paid by any Person, the Amount thereof shall be recovered as in Paragraph (20) of this Section is provided for the Recovery of Costs separately :

Each Offender liable to full Amount of Penalty, &c.

(13.) In Offence Cases where several Persons are convicted of having committed the same Offence together, and at the same Time and Place, or of being accessory thereto, each of such Persons (except in the Case of Partners in Business, Trade, or Calling, charged with some Offence in connexion with such Business, Trade, or Calling, when only One of such Partners shall be made the Defendant,) shall be liable to the same Penalty or Punishment as if only One Person had committed such Offence, or had been accessory thereto, or had been charged or convicted thereof :

Compensation for Hurt or Damage by committing an Offence.
2 & 3 Vict. c. 47. s. 62.

(14.) In every Case where any Person is convicted of any Assault or other Offence, and such Person by committing such Offence has caused any Hurt to the Complainant, or any Damage to his Property (for which no separate Complaint can or has been made against any Person to a Justice,) or has rendered necessary any Medical Attendance upon the Complainant, the convicting Justice may further adjudge the Defendant to pay to the Complainant such a Sum not exceeding *Ten Pounds* as shall appear to such Justice to be reasonable Amends for such Hurt, Damage, and Medical Attendance, or either of them, besides the Penalty for the Offence :

Persons charged as Principals may be convicted as Aiders, &c., or vice versâ.

(15.) In Offence Cases, where any Person is charged in a Complaint as a principal Offender, and it shall appear to the Justice upon the Evidence that such Person is guilty only of aiding, abetting, counselling, or procuring the Commission of the Offence, the Justice may convict him as such Aider, Abettor, Counsellor, or Procurer ; and in any such Case, where any Person is so charged as an Aider, Abettor, Counsellor, or Procurer in the Commission of the Offence, and it shall appear to the Justice upon the Evidence that such Person is a principal Offender, the Justice may convict him as such principal Offender :

On Charges of Assaults and Drunkenness Justice may Convict of certain Offences.

(16.) Where any Person is charged in a Complaint with assaulting any Constable or Peace Officer, or with an aggravated Assault, or with a common Assault, or with being drunk, or with being drunk and guilty of any indecent or riotous Behaviour, the Justice may convict of any such Offence of Assault, or Drunkenness, or Drunkenness and indecent or riotous Behaviour, as shall appear to him to be proved by the Evidence adduced :

Justice may in certain Cases ad-

(17.) Whenever by any Act a Justice is authorized to determine any Matter or Dispute, or to make any Order thereon, and such

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judge Party to make Compensation in default of doing an Act.

24 & 25 Vict. c. 99. s. 26. and Friendly Societies Acts.

such Act contains no Provision for enforcing such Determination or otherwise, such Justice may further adjudge by the same Proceeding the Defendant or Party thereto to do any Act upon which such Matter or Dispute depends or has arisen, and in default of the doing of such Act to pay to the other Party, as Amends or Compensation, such a Sum of Money as the Justice shall think fit, and which Sum shall be recoverable as Penalties and other Sums are hereby made recoverable; but nothing in this Enactment shall prevent any Proceeding by Indictment or Action at Law against such Defendant or Party, except that no Person shall be proceeded against by Indictment or Action if an Adjudication shall have been previously obtained for the same Cause under this Enactment:

Justices may mitigate certain Penalties.

2 & 3 Vict. c. 71. s. 35. 22 & 23 Vict. c. 14. 27 & 28 Vict. c. 110.

(18.) In Offence Cases where by any Public, Local, or Private Act a fixed or limited Penalty or Term of Imprisonment is authorized to be imposed on a Defendant upon Conviction, the Justice may mitigate such Penalty or Term of Imprisonment in such Manner as he may think fit; but where any such Act provides that the Penalty is to be of not less than a particular Sum of Money, or the Term of Imprisonment is not to be for less than a certain Period, the Justice shall not, under this or any other Enactment, or under any like Power conferred on Justices by any Local or Private Act, mitigate such Penalty or Term below the Limit specified in such first-mentioned Act:

Imprisonment in Gaol substituted for the Stocks.

21 Jac. 1. c. 7. ss. 1, 3. 29 Car. 2. c. 7. 1 Car. c. 1.

(19.) In Offence Cases where, by any Act now in force, Authority is given to a Justice to order a Defendant to be set in or committed to the Stocks, the Justice shall instead thereof (if the Penalty and Costs adjudged be not paid forthwith or at the Time stated for the Payment of the same, if Time be allowed), without issuing any Warrant of Distress, commit the Defendant to Gaol for any Time not exceeding *Seven Days*, unless the Amount thereof be sooner paid:

Penalties, Costs, and other Sums levied by Distress or not, at Justice's Discretion.

(20.) In every Case (except on Complaints for Rates or Taxes, Wages or Compensation only) where the Justice shall award any Penalty or other Sum to be paid, or any Sum for Costs, which, under this Section, must be recovered separately, he may order that, in default of the said Sum being paid at the Time and in the Manner directed, either that the Defendant or other Person be imprisoned, or that his Goods (whether within the Jurisdiction of such Justice or not) be distrained (I.) for such Sum, or for so much of such Sum, as shall remain unpaid at the Time fixed, and also for the Costs of such Distress:

(21.) In

Imprisonment in default of Distress. 11 & 12 Vict. c. 43. s. 22. 21 & 22 Vict. c. 73. s. 5.

(21.) In every Case where a Justice shall order that a Distress shall be made only (which he shall do in adjudicating upon Complaints for Rates or Taxes, Wages or Compensation,) in default of Payment of any Penalty or other Sum, he may order that in default of the said Sum being recovered or paid the Defendant or other Person shall be imprisoned for any Term not exceeding the Period specified in the Scale in Section Seventy-one: In Complaints for Rates or Taxes, Wages or Compensation, where Two or more Persons, being Partners or otherwise, are made Defendants and summoned, the Justice may order the Distress to be made on the Goods of any One of them, or on the Goods of the Copartnership:

Imprisonment where no Goods, or Distress would be ruinous. 11 & 12 Vict. c. 43. s. 19.

(22.) In every Case where a Justice shall order such Distress, if the Defendant or other Person admits, or if it is otherwise proved, that he has no sufficient Goods, or that a Distress would be ruinous or injurious to him or his Family, he may order that the Defendant or other Person shall be imprisoned in the first instance for the like Period for which he might be imprisoned in default of Distress:

Where Distress ordered Party may be detained or bailed. 11 & 12 Vict. c. 43. s. 20.

(23.) Where a Distress shall be ordered, the Justice may suffer the Defendant or other Person to go at large, or verbally or by a written Warrant order him to be kept and detained in safe Custody until Return shall be made to the Warrant of Distress, unless he shall give sufficient Security by Recognizance or otherwise for his Appearance at the Return of such Warrant, and which Recognizance when taken shall be entered in the "Recognizance Book" (W. a.):

In Offence Cases Justices at Petty Sessions may substitute Distress for Committal, and vice versâ, on Failure of First Warrant.

(24.) In Offence Cases where the Decision shall have directed Distress in default of Payment, and it shall afterwards be found difficult or impossible to execute a Warrant of Distress, the Justices at Petty Sessions may order a Warrant to issue to commit the Defendant to Gaol for such Period as directed by the original Decision; and in like Manner where the Decision directed Imprisonment in default of Payment, and it shall be found difficult or impossible to execute a Warrant of Commitment, the Justices at Petty Sessions may order a Warrant to issue to levy by Distress of the Goods of the Defendant the Sum awarded by the original Decision; and in all such Cases a Note of such Proceeding shall be made by the Justices or their Clerk in the "Register of Decisions":

Power to award Hard Labour in Offence Cases.

(25.) In Offence Cases where the Justices shall order Imprisonment, under this or any other Act, whether absolute or in default of Payment of a Penalty, he may adjudge by his Decision that the said Imprisonment shall be either with or without Hard Labour, according as he shall see fit:

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Consecutive Terms of Imprisonment. 11 & 12 Vict. c. 43. s. 25.

(26.) In Offence Cases where the Defendant is convicted at the same Time and Place of Two or more Offences, whether under this Part or the Tenth Part of this Act, or both, the convicting Justice, if he shall think fit, may by the Decision direct that the Imprisonment authorized, on One or more of them, (whether absolute or in default of Payment of a Penalty,) shall commence at the Expiration or other sooner Determination of the Imprisonment to which such Person shall have been previously sentenced upon any other Decision or Decisions; and if the Defendant is then actually in Prison undergoing Imprisonment for some other Offence, the Warrant of Commitment for such subsequent Offence shall be forthwith delivered to the Gaoler to whom the same is directed:

Penalties for continuing Offences.

(27.) In Offence Cases where the Complaint is in respect of an Offence, Act, or Default, for which a separate Penalty is incurred for each and every Day it is committed or continued or permitted to continue, whether after Notice or otherwise, and it shall appear to the Justice that such Offence, Act, or Default has been so committed, continued, or permitted on any Day or Days after the Service of the Summons to the Defendant upon such Complaint, the Justice may adjudge Payment of such Penalty in respect of such last-mentioned Day or Days as well as the Day or Days stated in such Complaint, without it being necessary to make any Complaint against or issue any Summons to the Defendant in respect thereof:

Increased Punishment on Second or subsequent Conviction for certain Offences.

(28.) Whenever a Defendant is convicted in Petty Sessions as an idle and disorderly Person, or as a Rogue and Vagabond, or as an Apprentice, or as a Pauper Inmate of any Workhouse or Asylum for an Offence therein, or of assaulting, resisting, or obstructing, or promoting, encouraging, or inciting any Person to assault, resist, or obstruct any Constable or other Peace Officer in the Execution of his Duty, or of any Offence under the Acts of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-six, Ninety-seven, Ninety-nine, or One-hundred, and it is proved that such Defendant has been previously convicted of any Offence, and suffered Imprisonment or Whipping, or both, under the Act of the Tenth and Eleventh Years of Her Majesty, Chapter Eighty-two, or the Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty-six, or the Tenth Part of this Act, or Paragraph (6) of this Section, or as an incorrigible Rogue, or upon an Indictment for any of the Offences first above-mentioned, or of any Offence under the Acts of the

10 & 11 Vict. c. 82.

18 & 19 Vict. c. 126.

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24 & 25 Vict. cc. 94, 96, 97, 99 & 100.

the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-four and Ninety-eight, which are indictable, the convicting Justices may (or if in any Case, where by the Act in that Behalf some other Punishment is provided for the Second or subsequent Offence, they shall deem it inexpedient to deal with such Case as directed by such Act, shall) adjudge the Defendant to pay *not less than the Maximum*, nor *greater than double* the Term of Imprisonment, Amount of Penalty, or (in the Case of Whipping) *Number of Strokes*, as the Case may be, authorized for the First or other Offence by the Act or this Act in that Behalf, and if the Defendant has been twice previously so convicted of the last-mentioned Offences, then not less than *double* nor greater than *treble* such Term of Imprisonment, Amount of Penalty, or Number of Strokes:

Amends may be ordered for frivolous Complaints. 2 & 3 Vict. c. 71. s. 32. 22 & 23 Vict. c. 14.

(29.) In Offence Cases where the Complaint shall not be further prosecuted by the Complainant who is not the Party personally aggrieved by the alleged Offence, or in which, if further prosecuted, it shall appear to the Justice that there was no sufficient Ground for making such Complaint, he may, in addition to dismissing the same, order any Sum not exceeding *Five Pounds* to be paid by such Complainant to the Defendant for his Loss of Time, Costs, and Expenses in the Matter:

Penalty on common Informer for compounding Complaint. 2 & 3 Vict. c. 71. s. 33. 22 & 23 Vict. c. 14.

(30.) In Offence Cases, if a Complainant who is not the Party personally aggrieved by the alleged Offence shall, after making the Complaint, directly or indirectly receive, or offer or agree to take or receive, without the Permission of the Justice before whom such Complaint is appointed by the Summons to be heard, any Sum of Money or other Reward for compounding, delaying, or withdrawing or not proceeding with such Complaint, any Justice may (after on Complaint thereof and issuing such Process to the Complainant as in this Act is directed in Offence Cases), on Proof of such Offence of compounding, Delay, Withdrawal, or not proceeding, adjudge such Complainant to pay a Penalty of not exceeding *Ten Pounds*.

Scale of Imprisonment in default of Payment of Penalty, Sum, Costs, Instalment, or of Distress.

71. Wherever Justices shall, under the last Section or under any Act, adjudge the Defendant or any other Person to be imprisoned in default of Payment of any Penalty or other Sum whatever, (whether any Period of Imprisonment is mentioned or provided in such Case in the Act under which the Complaint is made, or not,) or in default of paying, or of Distress for the Amount of any Recognizance forfeited or estreated under this Act, such Imprisonment shall be

11 & 12 Vict. c. 43. s. 22.
21 & 22 Vict. c. 73, s. 5.
See also 24 & 25 Vict. c. 96. s. 107.
24 & 25 Vict. c. 97. s. 65.

for any Term not exceeding the Period specified in the following Scale:

For any Sum—	The Imprisonment not to exceed—
Not exceeding One Pound - - -	*Fourteen Days.*
Exceeding the last, but not exceeding Two Pounds - - - - -	*One Month.*
Exceeding the last, but not exceeding Five Pounds - - - - -	*Two Months.*
Exceeding the last, but not exceeding Ten Pounds - - - - -	*Four Months.*
Exceeding the last, but not exceeding Fifty Pounds - - - - -	*Six Months.*
Exceeding the last - - - -	*Twelve Months.*

And every such Imprisonment shall be subject to the following Provisions:

Imprisonment subject to certain Provisions.

(1.) The Period shall commence on the Day on which the Defendant or Person is apprehended or detained under the Warrant of Commitment, but if he is received at the Gaol on any Day subsequent to the Date of such Warrant, the Constable executing the same shall indorse thereon the Date of such Execution by him:

(2.) It shall be determinable upon Payment of the Sum or Sums mentioned in the Warrant of Commitment (J.):

(3.) It shall operate as a Discharge and Release to the Defendant or Person from any further Liability whatsoever in respect of the Offence or Matter of Complaint or Cause of Commital respectively.

Minute of Order, &c. to be served in certain Cases previous to enforcing Decision.

11 & 12 Vict. c. 43. s. 17.

72. In Civil Cases (except Complaints for Rates or Taxes), whenever the Defendant shall not appear by himself, his Counsel or Attorney, at the Time of the making of the Decision, a Minute of the Decision, signed by the Clerk to the Justices, and in Cases of Bastardy a Duplicate of the Order, shall be served on the Defendant, (and the Service thereof proved) in like Manner as is hereinbefore required and provided in the Case of a Summons to a Defendant; and also in such Cases, whenever the Amount ordered is payable at a stated Period or Periods thereafter, and is not ascertained or due by or at the Time of the Decision, a Complaint of the Sum due thereunder, and Process to answer the same, shall be made and issued before any Warrant of Commitment or of Distress is issued to enforce Obedience to such Decision, the Fees in respect to which shall be added to the Costs already ordered; and, except as herein mentioned, no Demand of a Penalty or other Sum, nor any Summons to show Cause why Payment thereof should not be enforced, shall be necessary before enforcing any Decision of a Justice.

No Limit of Time for enforcing Adjudication.

73. Any Decision adjudging Payment of any Penalty or other Sum may be enforced at any Time after the making thereof, unless the particular Act shall provide any Limit in that Behalf, and whether the convicting Justices shall have died or been removed, or have become incapable of acting, or be then in the Commission of the Peace for the same Jurisdiction, or be then disqualified from acting by reason of being Sheriff of the County or from any other Cause, or not.

Manner of accounting for Penalties or Sums received by Gaolers and others.

11 & 12 Vict. c. 43. s. 31.

74. The Manner in which Penalties or other Sums for Costs' forfeited Recognizances, or otherwise, shall be accounted for, shall be as follows:

(1.) All such Penalties or Sums shall if paid in the first instance be paid to the Clerk to the Justices:

(2.) Every Gaoler shall keep a true and exact Account of all Monies received by him under Commitments of Justices, and shall on the First Day of every Month render a fair Copy of such Account to such Clerk:

(3.) Any Gaoler, Constable, or other Person receiving any Sum under any Commitment of Justices shall forthwith pay the same to such Clerk, and shall communicate such Receipt to the Committing Justice, and in default thereof the same shall be recovered from such Gaoler, Constable, or other Person as Sums are by Section Thirty-one of this Act directed to be recovered from such Clerk:

(4.) If Payment of any Sum shall be made to such Clerk, and the Defendant or Person shall then be in Gaol, such Clerk shall forthwith notify such Payment to the Gaoler by Post, who shall thereupon, without further Authority, discharge such Defendant or Person from the Commitment in that Behalf:

(5.) All Penalties or Sums so received by such Clerk (the Period of accounting for or paying over which is not provided for by Sections Thirty and Eighty of this Act) shall, if practicable, be paid by him to the Party or Parties entitled to the same respectively under this or any other Act, on Application by or on behalf of such Party or Parties, in Court or at his Office, within One Month after the same shall be so received, who shall give a Receipt for the same.

Time and Manner of enforcing Decisions:

75. The Time and Manner of enforcing any Decision of a Justice shall be subject to the following Provisions:

Nonpayment certified.

(1.) In any Case where a Penalty or Sum is adjudged to be paid, and Time has been allowed for Payment, it shall be sufficient

cient for the Clerk to the Justices to produce to any Justice (other than the convicting Justice) the Entry of such Decision in the "Register of Decisions" or other Minute thereof, and to certify verbally the Nonpayment thereof to the Justice proposing to enforce such Decision:

In Offence Cases.
14 & 15 Vict. c. 93. s. 23.
11 & 12 Vict. c. 43. s. 24., &c.

(2.) In Offence Cases the proper Warrant, when the Imprisonment is to take place immediately, shall be issued forthwith, but when it is not to be immediate or directly upon the Nonpayment of any Penalty or other Sum, or the Performance of any Act or Condition, at the Time and in the Manner fixed by the Decision for that Purpose, unless the Imprisonment or Penalty or other Sum shall have been remitted by the Crown or other competent Authority in the Interval, or the Justice shall think it expedient to delay the issuing of the Warrant:

In Civil Case on Application of Party.

(3.) In Civil Cases, where the Decision shall not be obeyed, the Justice shall issue the proper Warrant for its Execution at any Time after the Time fixed for Compliance with its Directions, where required so to do by the Person in whose Favour such Decision shall have been made, or by some Person on his Behalf:

No Execution pending an Appeal except in certain Cases; or if Warrant issued, not to be executed; or if executed, Party to be discharged or Distress to be returned.

(4.) In every Case where the Party being entitled to appeal against any Decision shall have duly given Notice thereof, and entered into a Recognizance to prosecute the same in the Manner herein-after provided, it shall not be lawful for any Justice to issue any Warrant to execute the Decision until such Appeal shall have been decided, or until the Appellant shall have failed to perform the Condition of such Recognizance, as the Case may be (except where any Act shall expressly authorize or direct the Levy of any Sum to be made, notwithstanding the Appeal); and in any Case where any Person shall be in Custody or shall have been committed to Gaol, or any Warrant of Distress shall have been issued or executed under any such Decision, the Justice by whom the Warrant shall have been issued, or any other Justice of the same County or Place, shall, upon an Application being made to him in that Behalf, forthwith order the Discharge of such Person from Custody or from Gaol, or that such Warrant of Distress shall not be executed, or that, if executed, the Distress shall be returned to the Owner, as the Case may be:

Costs of conveying Party to Gaol to be added.

(5.) The Justice issuing any Warrant of Commitment to enforce any Decision may in and by such Warrant direct the Costs and Charges of the Commitment and conveying of the Defendant or other Person to Gaol (the Amount thereof being ascertained and stated in such Warrant as if only One Person were conveyed at the same Time to such Gaol) to be added to the other Sum or Sums therein mentioned:

Justice may lodge corrected Commitment where Error discovered.

(6.) If any Error or Defect shall be discovered in any Warrant of Commitment, the Justice signing the same may at any Time during its Operation sign and cause to be lodged with the Gaoler a corrected and substituted Warrant:

When Warrant to include all the Defendants.

(7.) Wherever the same Term of Imprisonment only is imposed or adjudged on each of several Defendants adjudicated upon at the same Time upon the same Complaint, One Warrant of Commitment shall suffice; but in all other Cases there shall be a separate Warrant for each Defendant committed to Gaol:

Forms to be used.

(8.) The Forms of Warrants of Distress and Commitment to be used shall be I., I. a., J., and J. a. in the Second Schedule hereto respectively applicable to the particular Case.

Appeals against Judgments.

Two Modes of appealing allowed in certain Cases.

76. In the Cases herein-after mentioned the Parties respectively shall be entitled to appeal against the Decision of any Justice or Justices in either of the Two following Modes (but not both); that is to say,

When to Quarter Session

14 & 15 Vict. c. 93. s. 24.
2 & 3 Vict. c. 71. s. 50.
2 & 3 Vict. c. xciv. s. 101.
24 & 25 Vict. c. 96. s. 110.

(1.) The Complainant or Defendant, in every Case in which he is now by Law entitled to appeal to the Quarter Sessions, and also the Defendant in all other Cases where the Decision in any Offence Case adjudges Payment of any Penalty exceeding Five Pounds, or any Term of Imprisonment exceeding One Month, or such Decision takes place before One Justice only, or where any Order is made for the estreating of any Recognizance to a greater Amount than Five Pounds (but in no other Case), shall (unless in the last-mentioned Cases the particular Act shall expressly enact that the Adjudication or Determination of the Justice or Justices shall be final and conclusive) be entitled to appeal on the Facts or Law, or both, to the next Court of General or Quarter Sessions which shall be holden not less than *Fourteen Days* after the Day of such Decision being made for the County or Place wherein the same was made:

When to a Superior Court.

20 & 21 Vict. c. 43.

(2.) Either Party to any Complaint before a Justice which he has by Law Power to hear and determine in a summary Way, if such Party be dissatisfied with the Decision (whether it be an Adjudication, or a declining to adjudicate on the Ground of a Claim of Right or Title being bonâ fide

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set up,) as being erroneous in point of Law, or in respect of the Admission or Rejection of any Evidence, may appeal to any One of the Superior Courts of Law at Westminster which he shall elect and name:

And the Party appealing in every such Case is herein and shall be called the "Appellant," and the other Party the "Respondent."

Procedure on Appeal to Quarter Sessions.

77. Such Appeal to the General or Quarter Sessions shall be subject to the following Provisions (whether the same or other Provisions shall, in the Cases wherein an Appeal is already allowed, be contained in the Act allowing such Appeal or not), which shall be deemed to be read as and substituted for Section One hundred and ten of the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-six, wherever the same is incorporated in any Act:

Notice to be given within Four Days.

14 & 15 Vict. c. 93. s. 24. 24 & 25 Vict. c. 96. s. 110.

(1.) The Appellant shall serve Notice in Writing of his Intention to appeal, and of the Cause and Matter thereof, upon the Clerk to the Justices, not later than the *Fourth* Day after the Date of the Decision against which the Appeal is made:

Recognizance to prosecute Appeal.

Deposit of Money in lieu of Recognizance of Surety.

(2.) He shall also, within *Three Days* after such Notice as aforesaid, enter into a Recognizance before some One Justice, with Two solvent Sureties, to be approved by such Justice, conditioned to prosecute such Appeal; and such Recognizance shall be of such reasonable and sufficient Amount as the Justice shall see fit; or if the Appeal be in any Case where Payment only is ordered, the Appellant shall, in lieu of such Sureties, deposit with the Clerk to the convicting Justices such a Sum of Money as such Justice shall deem sufficient to cover the Sum ordered to be paid, together with the Costs of the Appeal; which Deposit shall be retained by such Clerk until he shall be further directed as to its Application:

Form of Appeal to be given to Appellant.

(3.) Whenever the Appellant shall have given such Notice, and entered into such Recognizance, or made such Deposit, there shall be delivered to him the Form of Appeal (L) containing a Certificate of the Decision against which he appeals (signed by the Clerk to the Justices); and it shall also be therein certified by such Clerk that the said Notice was duly given, and that the said Recognizance was duly entered into, or such Deposit made, if the Fact shall be so; and if the Appellant is in Custody he shall be liberated, as provided in Paragraph (4) of Section Seventy-five:

Justices may bind over Witnesses to support Decision in certain Cases.

5 G. 4. c. 83. s. 9. 8 & 9 Vict. c. 109. s. 20. 2 & 3 Vict. c. 71. s. 50. 16 & 17 Vict. c. 119. s. 13. 17 & 18 Vict. c. 38. s. 10. 23 Vict. c. 27. s. 34.

(4.) The convicting Justice, after the Notice of Appeal and Recognizance have been given and entered into against any Decision for any Offence under the Acts relating to Vagrants, Larceny, Malicious Injuries, Offences against Section Forty-three of the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter One hundred, the Acts relating to Betting Houses, Gaming Houses, or Refreshment Houses, or any Decision in Offence Cases of a Metropolitan Police Magistrate, may, if he think fit, require by Summons or verbally the Respondent, the Constable by whom the Offender was apprehended, and any Person who shall have been examined on the Hearing of the Complaint, and whose Evidence shall appear to such Justice to be material to support the Decision appealed against, to be bound in sufficient Recognizances to appear and defend the Appeal, and be examined at the Hearing thereof; and in case any Person shall refuse to enter into such Recognizance the Justice may commit such Person to Gaol, there to remain until he shall enter into such Recognizance or shall be otherwise discharged by due Course of Law; and every such Person, on producing the Notice of such his Recognizance signed by the Clerk to the Justices, shall be allowed Compensation for his Time, Trouble, and Expenses in defending and attending the Appeal, to be ascertained by the Sessions, which Compensation shall be paid in the first instance by the Treasurer of the County or Place in like Manner as in Cases of Misdemeanor under the Provisions of the Act of the Seventh Year of King George the Fourth, Chapter Sixty-four, and of any Act amending the same; and in case the Appeal be dismissed and the Decision confirmed the Amount of such Compensation shall be repaid to the said Treasurer by the Appellant and recovered as and with other Costs, as herein-after provided:

Recognizance to appeal to be transmitted to Clerk of the Peace.

(5.) In every Case where an Appeal is so made the Clerk to the Justices shall transmit a Duplicate of the Form of Appeal (L), and Copies of the Proceedings in such Case, to the Clerk of the Peace of the County or Place, at least Seven Days before the Commencement of the Sessions to which the Appeal is made, or as soon afterwards as may be practicable, and shall also deliver or send by Post or otherwise to the Respondent Notice of such Appellant having perfected such Recognizance within Three Days after the same shall have been done:

Appellant to give Notice to opposite Party.

(6.) The Appellant shall (unless he shall have abandoned his Appeal, and previously given Notice thereof to the Clerk to the Justices and the Respondent, and paid the Sums, if any, adjudged to be paid by such Appellant, and also the Costs of the Respondent incurred by reason of such Appeal, such Costs being taxed by such Clerk, for which Taxation he shall be entitled to a Fee of Five Shillings and no more,) give Notice in Writing to the Respondent of his Intention to prosecute his Appeal at least *Ten clear Days* before the Commencement of the Sessions to which the Appeal shall be made, and which Notice may be sent by the Post in the ordinary Way:

Court of Quarter Sessions may decide Appeal, and give Costs.

Clerk of Peace to certify Decision to Justices Clerk;

or certify upon and return Recognizance if Appeal is not prosecuted.

(7.) Whenever an Appeal is so made, and such last-mentioned Notice has been duly given, the Sessions may entertain the same, and confirm, vary, or reverse the Decision made by the Justices (as so certified in such Form of Appeal), and may award to either Party such Sum as they shall think fit for the Costs of such Appeal; and whenever the Sessions shall decide any such Appeal, the Clerk of the Peace shall certify such Decision, and the Amount of Costs ordered to be paid by either Party, at the Foot of the Form of Appeal; and whenever any such Appeal has not been duly prosecuted, the Clerk of the Peace shall, in like Manner, certify such Nonprosecution of the Appeal, and shall return such Form of Appeal with such Certificate respectively to the Clerk to the Justices of the Sessional Division or Place at which the Decision was made, within Seven Days after such Appeal is decided, or after the Termination of the Sessions at which such Appeal ought to have been prosecuted:

If Conviction, &c. quashed, Deposit to be refunded to Appellant.

(8.) Whenever it shall appear from such Certificate that the original Decision has been quashed, any Justice may verbally order the Clerk to the Justices to refund to the Appellant the Money so deposited by him as aforesaid.

Procedure on Appeal to a Superior Court:

78. The aforesaid Appeal to a Superior Court shall be subject to the following Provisions (which shall be deemed to be substituted for those contained in the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Forty-three):

To apply to Justices within Four Days.

20 & 21 Vict. c. 43.

(1.) The Appellant shall make an Application in Writing, not later than the *Fourth* Day after the Date of the Decision against which the Appeal is made, to the adjudicating Justice (or One of the Justices, if more than One,) to state and sign a Case setting forth the Facts, and the Grounds of such Decision, for the Opinion of the Superior Court to be named in such Application, and which Court is hereinafter called "the Court:"

(2.) The

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To enter into Recognizances to prosecute Appeal.
20 & 21 Vict. c. 43. s. 3.

(2.) The Appellant, at the Time of making such Application, or within *Three Days* after making the same, (and whether the Justice shall then have agreed to state or shall have stated such Case or not,) enter into a Recognizance before some One Justice, with or without Surety or Sureties, as the Justice shall determine, conditioned to prosecute without Delay such Appeal; and such Recognizance shall be of such reasonable and sufficient Amount as the Justice shall see fit; or if the Appeal be in any Case where Payment only is ordered, the Appellant shall, in lieu of such Surety or Sureties, deposit with the Clerk to the Justices such a Sum of Money as such Justice shall deem sufficient to cover the Sum ordered to be paid, together with the Costs of the Appeal, which Deposit shall be retained by such Clerk until he shall be further directed as to its Application:

Deposit of Money in lieu of Recognizance of Surety.

(3.) If the Appellant (being the Defendant in the Proceeding before the adjudicating Justice) at the Time of entering into such Recognizance or making such Deposit shall be in Custody, he shall be liberated upon the Recognizance or Deposit being further conditioned for his Appearance at the Place and Time of holding Petty Sessions next after the Expiration of Ten Days after the Judgment of the Court shall have been given, to abide such Judgment, unless the Decision appealed against be reversed; but the Enactments in this and Paragraph (2.) shall not apply or extend to any Proceeding under the Direction of the Board of Trade, or under or by virtue of "The Merchant Shipping Act, 1854," or "The Merchant Shipping Act Amendment Act, 1862," or any Act amending the same:

If Appellant in Custody, to be discharged, &c.
Ib. s. 3.

25 & 26 Vict. c. 63. s. 65.

(4.) If the Justice be of opinion that the Application for a Case is merely frivolous, but not otherwise, he may refuse to state a Case, and shall, on the Request of the Appellant, sign and deliver to him a Certificate of such Refusal (M b); provided that the Justice shall not refuse to state a Case where Application for that Purpose is made to him by or under the Direction of Her Majesty's Attorney General:

Justices may refuse a Case if Application frivolous.
20 & 21 Vict. c. 43. s. 4.

(5.) Where the Justice refuses to state a Case, the Appellant may apply to the Court of Queen's Bench, upon an Affidavit of the Facts, for a Rule calling upon such Justice and also upon the Respondent to show Cause why such Case should not be stated; and the said Court may make such Rule absolute, or discharge it, with or without Payment of Costs, as to the Court shall seem meet; and the Justice, upon being served with such Rule absolute, shall state a Case

Where Justice refuse Court of Queen's Bench may order Case to be stated.
Ib. s. 5.

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accordingly, upon the Appellant entering into such Recognizance or making such Deposit as is provided in Paragraph (2.) of this Section:

Case to be prepared by Clerk to Justices, and delivered to Appellant on Payment of Fees.
Ib. s. 3.

(6.) If the Justice agrees or shall under the last Provision be ordered to state a Case, the same shall be prepared by the Clerk to the Justices (M a), and, if the Justice think fit, be submitted to or approved by the respective Parties, their Counsel or Attorneys, before he shall sign the same, and after the same shall be signed by such Justice it shall be delivered or tendered as soon as practicable to the Appellant or to his Attorney, who shall on Receipt thereof pay the Fees payable to such Clerk in respect thereof as set forth in the Table of Fees in the First Schedule hereto; and such Clerk shall endorse his Name and Residence upon such Case:

Appellant to send Notice and Copy Case to opposite Party.
20 & 21 Vict. c. 43. s. 2.

(7.) The Appellant shall, within Three Days after the Receipt of such Case by himself or his Attorney, transmit the same to the Court, and within the same Period shall send Notice in Writing, by the Post or otherwise, of such Case being stated, with a Copy of such Case, to the Respondent; or such Notice and Copy may be delivered to the Attorney for the Respondent who is willing to accept the same on his Behalf:

Superior Courts may make Rules of Practice.
Ib. s. 11.

(8.) The Superior Courts may from Time to Time, and as often as they shall see Occasion, make and alter Rules and Orders to regulate the Practice and Proceedings in reference to Cases stated under this Section; but until such Rules and Orders shall be made the Rules and Orders made in pursuance of Section Eleven of the said Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Forty-three, shall remain in force:

Superior Court to determine the Question in the Case, or send back Case.
Ib. ss. 6, 7, 8.

(9.) The Court shall (or, subject to any Rules or Orders thereof in relation thereto, any Judge of such Court sitting in Chambers, and as well in Vacation as in Term Time, may) hear and determine the Question or Questions of Law arising on the Case, and shall thereupon reverse, affirm, or amend the Decision in respect of which the Case has been stated, or remit the Matter to the Justice with the Opinion of the Court thereon, or may make such other Order in relation to the Matter, and may make such Order as to Costs, as to the Court may seem fit; and all such Orders shall be final and conclusive on all Parties; and such Court may, if they think fit, cause the Case to be sent back for Amendment, and thereupon the same shall be amended accordingly, and Judgment shall be delivered after it shall have been amended:

Decision to be certified to Clerk to Justices.

(10.) The proper Officer of the Court, as soon as practicable, shall certify (M c) to the Clerk to the Justices whose Name is indorsed upon the Case the Terms of such Judgment, and the Amount of Costs (if any) ordered by the Court to be paid by either Party, or whether the Appeal has been duly prosecuted or not:

Justices not liable for any Costs. 20 & 21 Vict. c. 43. s. 6.

(11.) No Justice who shall state and deliver a Case in pursuance of the above Provisions shall be liable to any Costs in respect or by reason of such Appeal:

Justices to certify Noncompliance with Recognizance. Ib. s. 13.

(12.) In all Cases where the Conditions, or any of them, in the Recognizance mentioned in Paragraphs (2) and (3) of this Section shall not have been complied with, or where the Case having been so stated and signed as aforesaid shall not have been received on being tendered as directed by Paragraph (6), the Justice who shall have taken such Recognizance, or any other Justice, or the Clerk to the Justices, shall certify, in manner directed by Paragraph (7) of Section One hundred and thirty of this Act, in what respect the Conditions thereof have not been observed; and such Certificate shall be deemed sufficient *primâ facie* Evidence of the said Recognizance having been forfeited:

Deposit to be refunded on Reversal of Decision.

(13.) Whenever it shall appear to any Justice that the original Decision has been reversed by the Court, he may verbally order the Clerk to the Justices to refund to the Appellant the Money so deposited as aforesaid:

No Certiorari required to remove Conviction, &c. Ib. s. 10.

(14.) No Writ of Certiorari or other Writ shall be required for the Removal of any Entry of a Decision or Conviction, in relation to which a Case is stated under the above Provisions, or otherwise, for obtaining the Judgment or Determination of the Court in such Case:

Appellant may abandon Appeal.

(15.) The Appellant may at any Time before the Delivery of the Case to him, or the Hearing of the Appeal, abandon his Appeal, on giving due Notice thereof, and paying the Costs incurred by the Respondent by reason of such Appeal, such Costs being taxed by the Clerk to the Justices, for which Taxation he shall be entitled to a Fee of *Five Shillings* and no more.

Decisions and Judgments on Appeal to be enforced by Justices out of Sessions. 14 & 15 Vict. c. 93. s. 24. 20 & 21 Vict. c. 43. s. 9.

79. Whenever it shall appear to any Justice, from the Certificate mentioned in Paragraph (7) of Section Seventy-seven, or in Paragraph (12) of Section Seventy-eight, or by an Entry thereof made pursuant to Paragraph (7) of Section One hundred and thirty of this Act, that the Appeal therein respectively mentioned has not been duly prosecuted, or that the original Decision has been confirmed or affirmed upon such Appeal, such Justice shall issue the proper Warrant for the Execution of the same as if no such Appeal had been brought; and

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and in every Case in which it shall so appear that the Court of Appeal shall have varied the original Decision, the said Justice shall forthwith issue the proper Warrant for the Execution of the Order so made by the Court of Appeal, in like Manner as he might have issued a Warrant for the Execution of the original Decision in case no Appeal had been prosecuted; and if upon any such Appeal either Party shall be ordered to pay Costs, it shall be lawful for such Justice (on the same being duly certified to him, as in this Section first mentioned,) to enforce Payment of the same, in like Manner as herein-before provided, in Paragraph (20) of Section Seventy, for the Recovery of Costs separately; and in any Case where any Decision by which any Person shall be adjudged to be imprisoned shall be confirmed on Appeal, such Person shall be liable to be imprisoned for the Period thereby adjudged, where he shall not have been apprehended thereunder, or where he shall have been so apprehended and discharged, then for such Period as, together with the Time during which he shall so have been in Custody, shall be equal to the Period adjudged by the original Decision: Provided always, that whenever the Party bound by Recognizance to prosecute an Appeal against a Decision to imprison shall have absconded, or when the Party bound to prosecute an Appeal against a Decision for Payment of any Penalty or other Sum shall have no Goods whereon to levy the same by Distress, it shall be lawful for the Justices at a Petty Sessions held for the Sessional Division or Place within which the original Decision was made, and after like Proof of Notice to the Parties as in estreating Recognizances under Section One hundred and thirty of this Act, to make an Order (by an Entry thereof in the "Recognizance Book"), for estreating the Recognizance in any such Case to such Amount as they shall see fit, and for paying out of such Amount such Sum as shall have been directed to be paid to any Party by such original Decision, and thereupon to issue a Warrant (I) for the Levy of the same upon the Goods of the several Persons bound thereby: Provided also, that where any Deposit of Money shall have been made in lieu of a Recognizance of Surety or Sureties under either of the said Sections Seventy-seven and Seventy-eight, and the original Decision shall have been affirmed, the last-mentioned Justices may verbally order the Clerk to the Justices first to pay out of the Money deposited the Penalty or other Sum adjudged by such Decision to be paid, and then the Costs of the Appeal, and the Residue, if any, to the Party convicted.

With Costs of Appeal. 11 & 12 Vict. c. 43. s. 27.

Justices may estreat Recognizances to Appeal.

Application of Money deposited. 24 & 25 Vict. c. 96. s. 110.

Application of Penalties.

Application of Penalties and other Sums.

80. The Application and Appropriation of Penalties adjudged, and Sums awarded as Compensation for the Value of or Damage to any Property, (such Value or Amount to be assessed in each Case by the

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11 & 12 Vict. c. 43. s. 31. 24 & 25 Vict. c. 96. s. 106. 5 & 6 W. 4. c. 76. s. 126.

the convicting Justice,) and Sums forfeited under any Recognizance estreated under this Act, shall, when received, be subject to the following Provisions:

Compensation to be paid to Party aggrieved, except in certain Cases.

14 & 15 Vict. c. 93. s. 22. para. 7. 18 & 19 Vict. c. 126. s. 22.

(1.) Any Sum awarded as Compensation shall be paid to the Party or Public Body aggrieved, notwithstanding such Party shall have been examined as a Witness in Proof of the Offence; but where several Persons join in an Offence, and are severally punished each in the Amount of the Injury done or Value of the Article, no more than One of such Sums shall be paid to the Party aggrieved; and in such Case the remaining Sum or Sums, not so payable or paid, shall be applied as Penalties are directed by Paragraph (7.) of this Section to be applied; as shall also where the Party aggrieved is unknown the Sum which would otherwise have been payable to such Party:

Award to other Parties aggrieved by Offence.

(2.) The Justice may, in any other Case than last mentioned, award any Sum not exceeding One Third Part of any Penalty to be paid thereout to any Party aggrieved by the Offence, the Remainder thereof being subject to the Provisions of Paragraphs (6.), (7.) and (8.) of this Section:

Constables prosecuting not to receive Penalties, but same to be paid to Superannuation Funds.

3 & 4 Vict. c. 88. s. 10. 13 & 14 Vict. c. 87. s. 1. 22 & 23 Vict. c. 32. ss. 8, 14.

(3.) The Justice may, whenever any Penalty or Share of such Penalty is payable by Law to any County, Borough, or other Constable as the Complainant (not being the Party personally aggrieved), and whenever any Penalty is imposed on Persons convicted of Offences upon such Constables, or imposed on such Constables for Misconduct, Neglect, Violation, or Breach of Duty, or for any other Offence in relation to their Office, and whenever any Penalty is imposed on Persons on the Complaint of any such Constable (not being the Party personally aggrieved) for any Offence, order not exceeding One Moiety of every such Penalty to be applied in aid of the Superannuation Fund (if any), established and provided for such Constables respectively, and the same shall be invested and otherwise dealt with accordingly; and if there be no such Fund, the same shall be applied as Penalties are directed by Paragraphs (7.) and (8.) of this Section to be applied; and the Moiety not so ordered to be applied shall be applied in like Manner:

Portion of Penalties to other Informers.

14 & 15 Vict. c. 93. s. 22. para. 8. 2 & 3 Vict. c. 71. s. 34. 22 & 23 Vict. c. 14.

(4.) In every other Case wherein the Informer shall not be a Constable, and also in Cases where the Statute under which the Complaint in that Behalf was framed contains no Direction for the Payment of the Penalty or Portion of Penalty to such Complainant, the Justice may award any Sum not exceeding One Third of such Penalty to such Informer, or may order that no Part of such Penalty shall be paid to such Informer; and such Penalty, or the Remainder thereof, as the Case may be, shall be applied as Penalties are directed by Paragraphs (7) and (8) of this Section to be applied:

Forfeitures to be sold, &c.

(5.) All Forfeitures shall be sold or disposed of as directed by the Statute under which the Complaint in that Behalf was framed, and if there be no such Direction, then as the Justice may direct:

Penalties to be applied as Act directs.

(6.) Subject to the other Provisions of this Section, the Application of Penalties and other Sums shall be made as directed by the Statute under which the Complaint in that Behalf was framed:

Penalties unappropriated by Statute.
11 & 12 Vict. c. 43. s. 31.

(7.) If the Statute on which the Complaint in that Behalf was framed contains no Direction for the Payment of any Penalty or Portion or Remainder of Penalty to any Person or Public Body, and also in Cases where such Statute directs any Penalty or Portion or Remainder of Penalty to be paid to the Churchwardens and Overseers, or the Overseers of the Poor, or for the Poor of any Parish, or to the Union, for any Purpose, then the same shall be paid by the Clerk to the Justices, in the Manner directed by Section Thirty of this Act, to the Treasurer of the County or Place wherein the Offence was committed, and shall (except within the Metropolitan Police District and in the City of London) be placed by such Treasurer to the Credit of the County Rate, or Rate in the Nature of a County Rate, made in such County, or to the Credit of the Borough Fund of such Borough, as the Case may be; and such Treasurer shall give such Clerk a Receipt for the Sum so paid by him:

Application of Penalties, &c. in the Metropolis.
10 Geo. 4. c. 44. s. 37.
2 & 3 Vict. c. 71. ss. 46, 47.
2 & 3 Vict. c. xciv. s.97.

(8.) Within the Metropolitan Police District the Penalties or Portion or Remainder of Penalties referred to in Paragraph (7) of this Section shall be paid and applied at the Time, in manner, and to the Purposes directed by the Acts in that Behalf; and within the City of London shall be paid at such Time, in manner, and applied to such Fund or Funds of the Corporation of London as the Court of Mayor and Aldermen of the said City shall from Time to Time order and direct:

Sums received for forfeited Recognizances to be paid to the Sheriff.
3 G. 4. c. 46.
4 G. 4. c. 37.
22 & 23 Vict. c. 21.

(9.) All Sums recovered or levied in respect of any forfeited Recognizance estreated under this Act, except where the same or any Part thereof is hereby directed to be otherwise applied, shall be paid quarterly by the Clerk to the Justices to the Sheriff of the County wherein such Estreat is made (and in default may be recovered by such Sheriff in manner directed by Section Thirty-one of this Act), to be by such Sheriff paid and accounted for in the same Manner as other Sums paid or levied in lieu or satisfaction of forfeited Recognizances are by Law to be paid and accounted for.

Miscellaneous.

81. Every Person who shall aid, abet, counsel, or procure the Commission of any Offence punishable on summary Conviction, either for every Time of its Commission or for the First or Second Time, shall be liable for every First, Second, or subsequent such Offence to be proceeded against and convicted for the same, either together with the principal Offender, or before or after his Conviction, and shall be liable on Conviction to the same Forfeiture and Punishment as such principal Offender is by Law liable for a First, Second, or subsequent Offence, and may be proceeded against and described in any Document or Proceeding as a principal Offender, and convicted either in the County or Place where such principal Offender may be convicted, or in that in which such Offence of aiding, abetting, counselling, or procuring was committed.

Prosecution and Punishment of Aiders and Abettors in Offence Cases.

11 & 12 Vict. c. 43. s. 5.
24 & 25 Vict. c. 96. s. 99.
24 & 25 Vict. c. 97. s. 63.

82. In any Complaint which is taken in a separate Form distinct from the "Complaint Book" mentioned in Section Forty-two of this Act, and in any Summons, Warrant, Conviction, Commitment, or Order, or Certificate thereof, or other Proceeding, it shall be sufficient for all Purposes to describe or state shortly the Offence or Matter of Complaint in general Terms (whether in the Conjunctive or otherwise), or in the Words of the Section of the Act creating or defining the Offence or attaching any Penalty thereunto, or providing the Remedy for such Matter of Complaint, together with the Time and Place, and the Addition thereto of the Words and Figures, "contrary to the Statute, Vict. Cap. , (or the Short Title, if One, of such Act) Section creating," (being the Chapter and Section of the Act creating or defining such Offence or Matter,) without describing the Manner in which, or the Means by which, the Offence was caused or committed, and without alleging any Exception or Exemption by Law applicable to the Offence or Matter of Complaint.

How Offences and Matters of Complaint may be described in Proceedings.

18 & 19 Vict. c. 119. s. 2.

83. Any Justice, instead of convicting any Person proved before him to have committed a First Offence against the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-six, or the Act of the same Years, Chapter Ninety-seven, or against any other Act where the Complaint includes or involves any Act of damaging or injuring any Property or Person, may, if he shall so think fit, discharge the Offender upon making such Satisfaction to the Party aggrieved for Damages and Costs, or either of them, as shall be ascertained by the Justice; and in any Case wherein a Justice shall convict any Person under either of the last-mentioned Acts or any other Act, and adjudge him to pay any

Justice may discharge Offenders and remit Penalties in certain Cases.

24 & 25 Vict. c. 96. s. 108.
24 & 25 Vict. c. 97. s. 66.

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Penalty or Sum for such Damage or Value, or both, such Justice (whether such Person shall have been committed to Prison or not under the Decision in that Behalf, and whether he shall have paid the Penalty or other Sum or not,) may, on the written Application of the Complainant or Party aggrieved, discharge the Offender from his Conviction, and remit in whole or in part such Penalty or Sum, as the Case may require, with or without making such Satisfaction as aforesaid; and in any Case where a Defendant has been committed to Prison in default of finding a Surety or Sureties to keep the Peace or be of good Behaviour, such Justice may, on a like Application, and at any Time during the Imprisonment, discharge the Defendant from finding such Surety or Sureties: And thereupon the Justice shall cause an Entry of such Discharge or Remission to be made in the "Register of Decisions" mentioned in Section Sixty-nine, and Order (Q.) such Person, if in custody, to be liberated: Provided always, that this Enactment shall not affect the Provisions of the Act of the Twenty-second Year of Her Majesty, Chapter Thirty-two.

22 Vict. c. 32.

Justices may impound or restore Property in certain Cases.

84. In all Cases where a Justice shall make a Decision other than a Dismissal of a Complaint, and any Property which is the Subject of the Complaint is produced before him by any Person, such Justice may impound such Property, and then or at any Time thereafter verbally order it to be restored to the Person whom he shall deem to be the Owner thereof.

No Decision, &c. to be quashed for Want of Form.

85. No Decision made under the Provisions of this Act, nor any Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record.

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PART IX.

INDICTABLE OFFENCES.

To what Offences and Persons this Part of Act applies.

86. The Crimes, Offences, and Persons to which this Part of this Act shall apply shall be those herein-before enumerated in the Tenth Section of this Act, except in respect of the Misdemeanor for the Non-repair of a Highway, wherein the Proceedings shall be as otherwise directed by Law in such Case.

How Offences may be described in Proceedings.

Law of Evidence.

87. The Provisions contained in Section Eighty-two of this Act shall, so far as can be, apply to any Complaint, Summons, Warrant, or other Proceeding necessary to be made, issued, and granted in any Case within this Part of this Act: And the same Law of Evidence and Practice for the Time being applicable on Trials for Felony and Misdemeanor shall, except as herein otherwise provided, apply to the preliminary Examination mentioned in Section Eighty-eight.

Taking the Evidence, and disposing of the Accused.

Manner of taking the Evidence on the preliminary Examination.

11 & 12 Vict. c. 42. s. 17.
14 & 15 Vict. c. 93. s. 14.

88. The Manner in which the Evidence shall be taken, and the Accused (whether One or more Persons are jointly charged with the Offence) disposed of, in Proceedings for indictable Offences, whenever such Accused shall appear or be brought before any Justice, whether he shall appear voluntarily upon Summons or have been apprehended with or without Warrant, legally or illegally, or be in Custody for the same or any other Offence, shall be subject to the following Provisions:

Opening Case.

(1.) Before taking the Evidence, the Justice shall hear any Observations the Counsel or Attorney for the Prosecution has to make upon the Charge:

Justice to take Depositions.

(2.) In every Case such Justice, before committing such Accused for Trial or admitting him to Bail, shall, in the Presence of such Accused (who shall be at liberty, at the usual Time, to put Questions to any Witness produced against him,) take (or cause to be taken in his Presence) the Depositions (N a) on Oath and in Writing of the Witnesses for the Prosecution who shall know the Facts of the Case; and such Depositions shall be read over and signed respectively by the Witnesses so examined, and shall also be signed by the Justice (or, if more than One, by One of the Justices,) who shall take the same, either at the Foot of each Deposition or at the End of the whole: Where any such Deposition has been so taken (whether so signed or not) and the Witness shall not be in attendance on the further Examination of the Accused, it shall be sufficient, for the Purpose of continuing the Examination before the same or any other Justice, and remanding or bailing the Accused till the Day to which the Examination is deferred, to produce to and read over such Deposition before such Justice in the Presence of such Accused:

Depositions to be read over to Accused.

(3.) When the Depositions of the Witnesses on the Part of the Prosecution are completed, the Justice or One of the Justices present, or the Clerk to the Justices, shall (without requiring the Attendance of the Witnesses, and if required by the Accused or his Counsel or Attorney,) read or cause to be read to the Accused such Depositions, and shall hear any Observations in defence by his Counsel or Attorney:

Justice to caution Accused, and then take down his Statement.

11 & 12 Vict. c. 42. s. 18.

(4.) The Justice or Clerk to the Justices shall then state to the Accused the Charge involving the Offence or Offences supported by the Depositions, and then take down in Writing the Statement (N b) of such Accused (the Justice having first cautioned him that he is not obliged to say anything

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anything unless he desires to do so, but that whatever he does say will be taken down in Writing, and may be given in Evidence against him on his Trial); and whatever Statement the said Accused shall then make in answer to the Charge shall, when taken down in Writing, be read over to him, and shall be signed by the said Justice (or One of the Justices) present, and afterwards, upon the Trial, may, if necessary, and if so signed, be given in Evidence against the Accused without further Proof thereof, unless it shall be proved that it was not signed by the Justice purporting to sign the same; but nothing herein contained shall prevent the Prosecutor from giving in Evidence any Admission or Confession, or other Statement made at any Time by the Accused, and which would be admissible by Law as Evidence against him:

But Prosecutor may give any other Statement also in Evidence.

To hear Witnesses tendered by Accused.

(5.) The Justice shall then in like Manner, if it shall appear to him to be conducive to the Ends of Justice so to do, take the Depositions of any Witnesses offered by the Accused or his Counsel or Attorney on his Behalf, and who shall know the Facts of the Case, and which Depositions shall be read over and signed as above required in regard to Witnesses for the Prosecution, and shall be annexed to the Depositions for the Prosecution:

No Reply by Prosecutor.

(6.) No Observations in reply shall be permitted to be made by the Counsel or Attorney for the Prosecution, unless the Justice shall desire to hear such Observations:

Where Accused charged with Two or more Offences.

(7.) Where the Accused is at the same Time and before the same Justice charged with Two or more Offences against the same Party, committed and triable within the same Jurisdiction, the Evidence in respect of all such Offences may, if he think it expedient to do so, be taken in One Set of Depositions, and in such Case the Recognizance to prosecute or give Evidence shall also be by One Document (W b):

When Evidence has been completed Justice to discharge or commit, or admit to Bail.
14 & 15 Vict. c. 93. s. 15.
11 & 12 Vict. c. 42. s. 25.

(8.) Whenever the Offence shall have been committed within the Jurisdiction of the Justice, and he shall be of opinion that the Evidence is not sufficient to put such Accused on his Trial, he shall forthwith order such Accused to be discharged as to the Complaint then under Inquiry; but if, in the Opinion of such Justice, such Evidence is sufficient to put such Accused on his Trial, or if such Evidence raises a strong or probable Presumption of his Guilt, then such Justice shall either by Warrant (O a) commit him to the Gaol for the County or Place to which by Law he may be committed, to be there safely kept until his Trial for the said Offence, or shall admit him to Bail in manner herein-after provided in Section Ninety, according as he shall see fit:

Offence committed in another County, &c., either commit Prisoner or admit him to Bail. 11 & 12 Vict. c. 42. s. 22.

(9.) Whenever any such Accused is charged with an Offence alleged to have been committed by him in any County or Place in England wherein such Justice shall not have Jurisdiction, such Justice shall, if in his Opinion the Evidence taken before him within his Jurisdiction is sufficient to put such Accused on his Trial, or raises a strong or probable Presumption of his Guilt, thereupon either by a like Warrant (O a) commit the Accused to the Gaol of the County or Place wherein the Offence is alleged to have been committed, or shall admit him to Bail, according as such Justice shall see fit; but if, in his Opinion, such Evidence shall not be sufficient to put the Accused on his Trial, and no further Evidence can be adduced against him in either Jurisdiction, he shall forthwith order such Accused to be discharged as to the Complaint then under Inquiry: If, however, there shall appear to such Justice to be other Evidence procurable in such last-mentioned County or Place, or that another Accused stands charged with the same Offence before a Justice of the County or Place wherein such Offence is alleged to have been committed, then the first-mentioned Justice shall bind over the Prosecutor, if he shall have appeared, and the Witnesses, to give Evidence, either under the Provisions of Section Fifty-three or Section Eighty-nine of this Act, as such Justice shall think fit, and the Case shall require, and shall thereupon by Warrant (O b) order such Accused to be taken before some or the Justice of the County or Place in which and near the Place where the Offence is alleged to have been committed, and shall at the same Time deliver to the Constable having the Execution of such Warrant the Depositions and Recognizances, if any, so taken, to be delivered to the Justice before whom the Accused shall be taken in obedience to such Warrant; and such Depositions, and Recognizances shall be treated to all Intents as if they had been taken before such last-mentioned Justice: Provided always, that if such last-mentioned Justice shall not think the Evidence against such Accused sufficient to put him on his Trial, and shall discharge him without holding him to Bail, any Recognizance so taken by the said first-

If Evidence is not sufficient, or another Accused is in Custody, Justice may send Prisoner to County, &c. where Offence was committed.

But if Evidence not sufficient, and Party not bailed, former Recognizance to be void.

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first-mentioned Justice shall be null and void; and if any Person shall be committed to Prison for refusing to be bound by Recognizance, such last-mentioned Justice shall forthwith order (Q) the Keeper of the Gaol to discharge him from Custody:

Costs of conveying the Accused into the proper County, &c. to be borne by the last-mentioned County, &c. 11 & 12 Vict. c. 42. ss. 22, 26.

(10.) In case such Accused shall be so committed to Gaol, or so taken before such last-mentioned Justice, the Constable who shall have conveyed him shall be entitled to be paid the Costs and Expenses of so conveying him; and upon the said Constable producing either the Receipt of the Keeper of the Gaol for the said Accused, or the said Accused with the Warrant in that Behalf, before such Justice, and proving the Handwriting of the Keeper of such Gaol who shall have signed such Receipt, or of the Justice who shall have subscribed such Warrant, as the Case may be, such Justice shall thereupon forthwith ascertain the Amount of the said Costs and Expenses according to the Scale of Fees and Allowances in force in his County or Place, as also the reasonable Costs and Expenses of such Constable returning, and thereupon such Justice shall make an Order (O c) upon the Treasurer of the County, or, if the City, Borough, or Place shall be contributory to the County Rate of any County, then upon the Treasurer of such County to which it is contributory, for Payment to such Constable of the Amount so ascertained to be payable to him in that Behalf; and the said Treasurer, upon such Order being produced to him, shall pay the Amount to the said Constable, or to any Person who shall present the same to him for Payment:

Depositions of Witnesses who have died, &c. may be read on the Trial. 11 & 12 Vict. c. 42. s. 17. 14 & 15 Vict. c. 93. s. 14. para. 1.

(11.) If upon the Trial of the Accused it shall be proved by the Oath of any credible Witness that any Person whose Deposition shall have been so taken is dead, or is out of the United Kingdom, or is so ill as not to be able to travel to give Evidence, or is fraudulently or forcibly kept out of the way by or on behalf or by Procurement of or in the Interest of the Accused, and if such Deposition purport to have been taken and signed as above required, it shall be lawful to read such Deposition as Evidence before the Grand Jury, and on the Trial, without further Proof thereof, unless the Accused shall prove that the same was not taken on Oath, or that it was not taken in his Presence, or that he or his Counsel or Attorney had not a full Opportunity of cross-examining such Witness, or that such Deposition was not signed by the Justice purporting to have signed the same:

(12.) Whenever an Accused is discharged by the Justice the Clerk to the Justices shall retain the Depositions in his Custody.

When Accused discharged, Clerk to retain Depositions.

Binding over Prosecutor and Witnesses.

Justice to bind over Prosecutor and Witnesses to give Evidence on the Trial of Accused, &c. 11 & 12 Vict. c. 42. s. 20. 14 & 15 Vict. c. 93. s. 13.

89. Whenever a Justice shall determine to commit the Accused, or hold him to Bail, he shall bind the Prosecutor, and such of the Witnesses as have been examined before him, and whose Evidence is in his Opinion material for the Prosecution, by Recognizance (W b) to appear at the Trial of the Accused, and prosecute or give Evidence against him, and to produce any Property the Subject of the Offence, given into their or his Custody for that Purpose; and whenever any Prosecutor or Witness shall refuse to be so bound, (or being a Witness and under the Age of Twenty-one Years, shall fail to find a Surety, if the Justice shall deem it advisable to require Surety,) the Justice may by Warrant (E) commit him to the Gaol of the County or Place in which the Accused is to be tried, there to be imprisoned until the Trial of the Accused, unless in the meantime such Prosecutor or such Witness, together with such Surety (if any required as aforesaid), shall duly enter into such Recognizance before some Justice of the County or Place in which such Gaol is situated, who shall forthwith after taking such Recognizance order (Q) the Keeper of the Gaol to discharge such Prosecutor or Witness: Provided always, that where a Witness is a married Woman the Justice may verbally or by Summons require her Husband to be so bound as Surety for her, and if he fail to appear thereto may grant a Warrant for his Apprehension, and if he refuse to be so bound the Justice may proceed with regard to such Husband as herein directed in the Case of a Witness who shall refuse to be so bound or to find Surety: Provided also, that the Justice may, whenever he shall think fit, bind the Constable having the Charge or any other Person (other than or in addition to the Prosecutor or Owner of the Property) to appear and prosecute as aforesaid.

Proviso as to married Women.

Binding Constable to prosecute.

Bailing the Accused.

Persons charged with Felony and Misdemeanor may be admitted. In what Cases discretionary. 11 & 12 Vict. c. 42. s. 23. 14 & 15 Vict. c. 93. s. 16.

90. The Admission to Bail of such Accused Persons shall be subject to the following Provisions:

(1.) In every Case where the Accused is charged with any Felony, or with any Misdemeanor against any Act relating to the Coin, or with any other Misdemeanor for the Prosecution of which the Costs may be allowed by the Court before which such Misdemeanor is prosecuted, either the examining Justice, at any Time before such Accused is committed to Gaol, or the Justice by whom the Warrant of Commitment shall have been signed at any

Time afterwards, and before the First Day of the Sitting of the Court before which he shall have been committed to be tried, may, if (having regard to the Nature of the Charge, and the Cogency of the Evidence adduced in support of it,) it appears to him to be a Case in which Bail ought to be taken, admit such Accused to Bail by Recognizance (W b), with One or more sufficient Sureties, or without Surety if the Accused is a Housekeeper and Tenant, at the Discretion of the Justice, conditioned that he will appear at the Time and Place when and where he is to be tried for such Offence, and that he will then surrender and take his Trial, and not depart the Court without Leave; and whenever in any such Case the Accused shall not be so admitted to Bail, if the examining or committing Justice is of opinion that he ought to be admitted to Bail, he shall certify (R a) on the Warrant of Commitment, and also at the Foot of or upon the Depositions, his Consent to his being bailed, stating also the Amount of Bail which ought to be required; and any Justice of the County or Place attending or being at the Gaol where such Accused shall be in Custody, on Production of such Certificate, or a Copy thereof certified by the Clerk to the Justices, at any Time before the First Day of the Sitting of the Court before which the Accused shall have been committed to be tried, may admit him to Bail in manner aforesaid:

In such Cases the committing Magistrates to certify on Warrant his Consent to Bail, and any other Justice may admit to Bail.

(2.) In every Case where the Accused is charged with any indictable Misdemeanor other than those herein-before mentioned, such Justice, after taking the Depositions, instead of committing him to Prison, shall, upon the Application of such Accused (and upon being satisfied as to the Sufficiency of the Bail offered), admit him to Bail or certify in manner aforesaid; or if he has been committed to Gaol, and shall apply to any Justice for the same County or Place to admit him to Bail at any Time before the First Day of the sitting of the Court before which he is to be tried, such Justice shall admit him to Bail in manner aforesaid, either with or without the Production of such Certificate:

In what Cases Bail compulsory.

And whenever it shall not be convenient for the Surety or Sureties in any Case to attend at the Gaol to join with the Accused in the Recognizance of Bail, then the committing Justice, or the Justice by whom the Accused can be admitted to Bail, as the Case may be, shall make a Duplicate of such Certificate (R a) as aforesaid, or the Clerk to the Justices shall certify the Correctness of a Copy thereof; and upon either being produced to any Justice for

When Sureties cannot attend Justice to give a Duplicate Certificate of Consent to Bail.

for the same County or Place, or to any Justice of the County or Place where such Surety or Sureties shall reside, such last-mentioned Justice, before such Time as aforesaid, may take the Recognizance of the Surety or Sureties in conformity to such Certificate; and upon a Certificate (signed by such last-mentioned Justice, or by the Clerk to the Justices, R b), of such Recognizance of the Surety or Sureties having been entered into, being transmitted to the Keeper of such Gaol, and produced to any Justice attending or being at such Gaol, such last-mentioned Justice, before such Time as aforesaid, may take the Recognizance of such Accused in like Manner as if the Sureties were present; and in all Cases where a Justice shall admit to Bail any Accused who shall then be in any Gaol charged with the Offence for which he shall be so admitted to Bail, such Justice shall, on being satisfied that the Recognizance of the Surety or Sureties (if any) has been previously duly entered into, send to or cause to be lodged with the Keeper of such Gaol a Warrant (Q), requiring the said Keeper to discharge the Accused so admitted to Bail, if he be detained for no other Offence or under no Civil Process; and upon such Warrant being delivered to such Keeper he shall forthwith obey the same: Provided always, that no Justice shall admit any Accused to Bail for Treason, or for any Felony under the Act of the Eleventh Year of Her Majesty, Chapter Twelve, nor shall any such last-mentioned Accused be admitted to Bail, except by Order of the Home Office, or by Her Majesty's Court of Queen's Bench at Westminster, or a Judge thereof in Vacation.

When Accused admitted to Bail after Commitment Accused to be discharged if not detained for any other Offence or under Civil Process.

Proviso as to Treason, &c.

91. Whenever any such Accused shall have been bailed in manner aforesaid, the Justice by whom he shall have been bailed, or any other Justice, if he shall see fit, upon the Application of the Surety or of either of the Sureties of such Accused, and upon Complaint being made in Writing and on Oath by such Surety or by some Person on his Behalf that the Accused so bailed is about to abscond for the Purpose of evading Justice, may issue his Warrant (D) for the Arrest of such Accused so bailed, and afterwards, upon being satisfied that the Ends of Justice would be otherwise defeated, may commit (O a) such Accused when so arrested to Gaol until his Trial, or until he shall produce another sufficient Surety or other sufficient Sureties, as the Case may be, in like Manner as before.

Where Accused is about to abscond, Justice may, upon Application of Surety, order Arrest, and require new Bail.

14 & 15 Vict. c. 93. s. 17.

In Cases where Indictment already found.

92. Whenever an Indictment has been found by the Grand Jury in any Court of Oyer and Terminer or General Gaol Delivery, or at any General or Quarter Sessions of the Peace in England, against

Summons or Warrant to Party against whom an

Indictment is found.

14 & 15 Vict. c. 93. s. 18.
11 & 12 Vict. c. 42. s. 3.

Party to be committed for Trial or bailed.

If Party indicted be in Prison for some other Offence Justice to order his Detention.

against any Accused who shall then be at large, and who has not already appeared and pleaded to such Indictment (and whether such Accused has been bound by Recognizance to answer to the same or not), the Person who shall act as Clerk of the Indictments at such Court, or as Clerk of the Peace at such Sessions, shall, at any Time after the End of the Assizes or Sessions at which such Indictment shall have been found, upon Application of the Prosecutor or of some Person on his Behalf, and free from Charge, grant unto such Prosecutor or Person a Certificate (S) of such Indictment having been found; and upon Production of such Certificate to any Justice for the County or Place in which the Offence is alleged in such Certificate to have been committed, or in which such Accused shall reside or be, or be suspected to reside or be, such Justice may, in his Discretion, issue either a Summons or Warrant (F) against the Accused in the first instance, or a Warrant on Disobedience of the Summons, as directed by Paragraph (6) of Section Forty-five of this Act; and upon such Accused appearing or being brought before any such Justice, and upon its being proved that the Person so appearing or being brought is the same Accused who is charged and named in such Indictment, such Justice shall, without further Inquiry, either commit him for Trial or admit him to Bail in manner aforesaid; but if such Accused is in Custody upon such Indictment, and such Certificate shall also certify that such Court has ordered him to be discharged from Custody on finding Surety or Sureties as therein stated, then any such Justice, upon Production of such Certificate, may bail him in manner aforesaid; and in any such Case if the Accused so indicted shall at the Time be confined in any Gaol for any other Offence than that charged in such Indictment, such Justice shall, upon like Proof that the Person so confined is the same Accused who is so charged in such Indictment, issue his Warrant (O a) to the Keeper of such Gaol, commanding him to detain such Accused in his Custody until he shall be discharged therefrom by due Course of Law; but nothing herein contained shall be deemed to prevent any Clerk of the Indictments, or Peace or other Officer, from issuing any Warrant in any such Case for the Arrest of any such Person which he might otherwise by Law issue.

Disposal of the Depositions.

Disposal of the Depositions, &c.

Complaints, &c. taken before Justices out of Petty Session to be transmitted to Clerks to Justices.

14 & 15 Vict. c. 93. s. 19.

93. The Manner in which Complaints, Depositions, Statements of accused Persons, and Recognizances shall be disposed of when taken, and the Cases recorded, shall be subject to the following Provisions:—

(1.) Every Complaint, Deposition, Statement, and Recognizance sworn, taken, or acknowledged by or before any Justice not sitting in Petty Sessions shall forthwith be transmitted by him to the Clerk to the Justices:

(2.) The

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Depositions, &c. to be transmitted to the Clerks of Assize and Peace.

11 & 12 Vict. c. 42. s. 20.

(2.) The Clerk to the Justices shall deliver or transmit through the Post (prepaying the same) every Deposition, Statement, or Recognizance so received from any Justice out of Petty Sessions, or which shall be sworn, taken, or acknowledged at Petty Sessions or by any Justice, to the Clerk of the Assize, where the same shall relate to any Matter to be tried at the Assizes, or to the Clerk of the Peace, where the same shall relate to any Matter to be tried at Quarter Sessions, with all convenient Despatch, or (if practicable) Seven Days before the Assizes or Quarter Sessions, as the Case may be, except in Cases where the Justice or Justices shall deem it expedient to retain such Documents for a longer Period:

Register of Cases to be kept.

(3.) The Clerk to the Justices shall enter the Particulars relating to each Case, in which an Accused is committed or held to Bail to be tried, in a Book (with an Index) to be kept for that Purpose, to be called the "Register of Committals for Trial" (O d):

Accused and Prosecutor entitled to Copies.

14 & 15 Vict. c. 93. s. 14.
11 & 12 Vict. c. 42. s. 27.

Provided always, that at any Time after the Depositions aforesaid shall have been completed, and on or before the First Day of the Assizes or Sessions at which any Accused committed to Gaol or admitted to Bail is to be tried, such Accused or his Attorney may require, and shall be entitled to receive from the Clerk to the Justices, or other Person having the Custody of the same, a Copy of such Depositions and of the Statement of the Accused, on Payment of the Sum for the same set down in the Table of Fees in the First Schedule hereto; and the Prosecutor or his Attorney in any such Case may also be furnished with a Copy of such Depositions and Statement on Payment of the Sum set down in the same Table of Fees; and if such original Depositions are required to be produced at any other Place than the Trial of the Accused, a Copy thereof, certified by the Clerk to the Justices or other Officer having the Custody of the same, may be received in Evidence in lieu of such original Depositions.

Copy receivable in Evidence in other Case than on the Trial.

PART X.

Part X.

Summary Jurisdiction over certain indictable Offences.

When this Part of the Act shall take effect.

94. This Part of the Act shall take effect when and so soon as the Depositions of all the Witnesses for the Prosecution against the Accused charged with any of the indictable Offences to which this Part of this Act relates have been completed in manner directed by Section Eighty-eight of this Act: Provided always, that where all or any of such Depositions have been taken on some previous Day, whether before One or more of the same

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Justices or not, it shall be sufficient for the Purposes of this Part of this Act to produce to and read over such Depositions before the Justices in Petty Sessions in the Presence and Hearing of the Accused, without requiring the Attendance of the Witnesses.

Where and before whom Cases to be heard.
10 & 11 Vict. c. 82. s. 1.
18 & 19 Vict. c. 126. s. 9.
19 & 20 Vict. c. 118.
27 & 28 Vict. c. 80.

95. The several Offences mentioned in Sections Ninety-six, Ninety-seven, and Ninety-nine, when proposed to be dealt with under the Provisions of this Part of this Act, shall be heard and disposed of by and before Two or more Justices in Petty Sessions, and (except in the Districts assigned to Police Courts within the Metropolitan Police District and in the City of London) a written or printed or painted Notice of the Days and Hours for hearing Cases under this Part of this Act shall be posted or affixed by the Clerk to the Justices upon some conspicuous Part of the Outside of the Building or Place where the Petty Sessions are held; but the Omission to do so shall not invalidate any Proceedings at such Petty Sessions.

Larceny, &c. by Persons not exceeding 16 Years of Age.

96. The next following Offences, when committed by any Accused whose Age does not, in the Opinion of the Justices before whom he is charged, exceed the Age of *Sixteen Years*, shall be subject to the Provisions of this Part of this Act; (that is to say,)

10 & 11 Vict. c. 82.
13 & 14 Vict. c. 37.

(1.) Simple Larceny:

(2.) The Offences by Sections Three, Twenty-six, Twenty-seven, Thirty-one, Thirty-two, Thirty-three, and Thirty-six of the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-six, or any Act hereafter to be passed, declared to be punishable as in the Case of Simple Larceny:

(3.) Attempting to commit, or aiding, abetting, counselling, or procuring the Commission of Simple Larceny, or any of the last-mentioned Offences:

(4.) Any Offence which by the last-mentioned Act, or the Acts of the same Years, Chapters Ninety-seven and One hundred, is declared to be Felony by the Person committing it:

18 & 19 Vict. c. 126. s. 3.

(5.) Attempting to commit Larceny from the Person:

(6.) Stealing from the Person:

(7.) Larceny as a Clerk or Servant:

(8.) Embezzling Property as a Clerk or Servant, the Amount embezzled not exceeding the Sum of *Five Pounds:*

(9.) Obtaining or attempting to obtain Property by false Pretences, the Amount or Value thereof not exceeding the Sum of *Five Pounds:*

(10.) Receiving of any Person amenable under this Section any Property, the stealing, embezzling, or obtaining whereof is within this Section, knowing it to have been stolen, embezzled, or unlawfully obtained:

(11.) Committing either of the foregoing Offences after a previous Conviction for either of them under this Part of this Act.

See 24 & 25 Vict. c. 96. s. 7. as to a 3rd Conviction.

Larceny, &c. of small Value by Persons exceeding 16 Years of Age.

18 & 19 Vict. c. 126. s. 1.

97. The next following Offences, when committed by any Accused whose Age, in the Opinion of the Justices before whom he is charged, exceeds the Age of *Sixteen Years*, shall also be subject to the Provisions of this Part of this Act; (that is to say,)

(1.) Simple Larceny, the Value of the whole Property alleged to have been stolen not exceeding *One Pound:*

(2.) The Offences by Sections Three, Twenty-six, Twenty-seven, Thirty one, Thirty-two, Thirty-three, and Thirty-six of the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-six, or any Act hereafter to be passed, declared to be punishable as in the Case of Simple Larceny:

(3.) Attempting to commit, or aiding, abetting, counselling, or procuring the Commission of Simple Larceny, or any of the last-mentioned Offences:

(4.) Receiving of any Person amenable under this Section any Property, the stealing of which is within this Section, knowing it to have been stolen:

(5.) Attempting to commit Larceny from the Person.

Mode of Proceeding before Justices in the before-mentioned Cases.

10 & 11 Vict. c. 82. s. 1.
18 & 19 Vict. c.126. ss. 1,2.

98. Where any Accused shall be charged under the last Two preceding Sections (whether he be charged alone or jointly with any other Accused), the Justices shall proceed as follows:

(1.) The Charge shall be stated to the Accused.

(2.) The Justices or the Clerk to the Justices shall ask the Accused whether he objects to the Charge being tried by them, or whether he desires that it shall be sent for Trial by a Jury; and if the Accused (or, if his Age does not exceed Sixteen Years, his Parent) do object, the Justices shall proceed with the Case as upon a Committal for Trial:

13 & 14 Vict. c. 37. s. 2.

(3.) If the Accused (or, if his Age does not exceed Sixteen Years, his Parent) shall not object, the Justices or the Clerk to the Justices shall ask him whether he is Guilty or Not Guilty of the Charge, and the Justices may hear his Defence, and examine any Witnesses tendered on his Behalf, and then proceed to dispose of the Case summarily:

(4.) If the Justices find the Charge to be proved they shall (except as herein-after provided) convict the Accused (T a), and adjudge him if a First Conviction to be imprisoned for any Period not exceeding *Three Months*, with or without Hard Labour:

Increased Punishment on Second or subsequent Conviction for certain Offences.

(5.) If it is proved that any such Accused has been previously convicted of any Offence, and suffered Imprisonment or Whipping, or both, under the Act of the Tenth and Eleventh Years of Her Majesty, Chapter Eighty-two, or the Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty-six, or this Part of this Act, or Paragraph (6) of Section Seventy of this Act, or as an idle and disorderly Person, Rogue and Vagabond, or incorrigible Rogue, or upon an Indictment for any of the Offences under the Acts of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-four, Ninety-six, Ninety-seven, Ninety-eight, and One hundred, the Justices may (or if in any Case, where by the Act in that Behalf some other Punishment is provided for the Second or subsequent Offence, they shall deem it inexpedient to deal with such Case as directed by such Act, shall) adjudge the Accused to be imprisoned for any Period not less than *Three* nor more than *Six Months*, with or without Hard Labour, and, if a Male, and not exceeding the Age of *Sixteen Years*, to be *twice* privately whipped in manner aforesaid, either instead of or in addition to such Imprisonment; but if such Accused has been previously twice so convicted of any of such Offences, he shall be deemed guilty of Felony, and on being convicted thereof on Indictment shall be liable to be punished as directed by Section Nine of the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-six:

(See Section 70, paragraph (28).)

24 & 25 Vict. c. 96. s. 9.

Offender under Sixteen to be Whipped, &c.

10 & 11 Vict. c. 82. s. 1.

24 & 25 Vict. c. 96. ss. 4, 67, 68.

25 Vict. c. 18.

26 & 27 Vict. c. 44.

(6.) If the Accused, being a Male, and not exceeding the Age of Sixteen Years, is convicted for the First Time of an Offence mentioned in Section Ninety-six the Justices may, adjudge him to be once privately whipped with a Birch Rod by some Constable verbally named by the Justices, either instead of or in addition to the Imprisonment mentioned in Paragraph (4) of this Section; but the Number of Strokes inflicted in the Case of an Accused whose Age does not exceed Fourteen Years shall not exceed Twelve, and in the Case of any other Accused shall not exceed Twenty-five, and the Number in each Case shall be specified at the Time of Conviction; and if convicted a Second Time of any such Offence the Justices may adjudge him to be twice privately whipped, in like Manner, either instead of or in addition to an Imprisonment of not exceeding *Six Months*, with or without Hard Labour:

Cumulative Imprisonment where Two or more Offences.

(7.) Where the Accused is under this Section or under the Eighth Part of this Act, or both, at the same Time and Place adjudged to be imprisoned for Two or more Offences, the Justices may direct by their Convictions and Warrants of Commitment that the Imprisonment for One or more of such Offences shall commence at the Expiration of the Imprisonment for the other or others of such Offences:

If Offence not proved, Accused to be discharged. On First Offence Surety may be required.

(8.) If the Justices find the Charge not proved, they shall dismiss the Charge, and shall cause an Entry thereof to be made in the "Register of Decisions" mentioned in Section Sixty-nine of this Act; but if the Accused is convicted for the First Time of an Offence mentioned in Section Ninety-six, or if he is of weak Intellect, they may, in lieu of Imprisonment or Whipping, require him to find Surety or Sureties, or may accept and take from the Parent or Person having the Custody of such Accused of weak Intellect Security by Recognizance for his future good Behaviour for such Period as they think fit, and in default thereof they shall deal with him as directed by Paragraph (5.) of Section Seventy of this Act:

Proviso.

Provided always, that if the Justices shall be of opinion, upon a First Charge against the Accused, that there are Circumstances in the Case which render it inexpedient to inflict any Punishment, they may dismiss the Accused, and give him a Certificate of such Dismissal.

Larceny, &c. of greater Amount by Persons above 16 who plead Guilty.

99. The next following Offences, when committed by any Accused whose Age, in the Opinion of the Justices before whom he is charged, exceeds the Age of *Sixteen Years*, shall also be subject to the Provisions of this Part of this Act; (that is to say,)

(1.) Simple Larceny, the Property alleged to have been stolen exceeding in Value *One Pound*, but not exceeding *Pounds*:

18 & 19 Vict. c. 126. s. 3.

(2.) Stealing from the Person to the Value of not exceeding *Pounds*:

(3.) Larceny as a Clerk or Servant, to the Amount of not exceeding *Pounds*:

(4.) Embezzling Property as a Clerk or Servant to the Amount or Value of *Pounds*:

(5.) Obtaining or attempting to obtain Property by false Pretences, the Amount or Value not exceeding *Pounds*:

(6.) Receiving of any Person amenable under this Section any Property, the stealing, embezzling, or obtaining whereof is within this Section, knowing it to have been stolen, embezzled, or unlawfully obtained:

Mode of Proceeding.

And the Justices may, if the Evidence appearing upon the Depositions taken is in their Opinion sufficient to put the Accused on his Trial for the Offence, proceed as follows (whether he be charged alone or jointly with any other Person):

(7.) The Charge shall be read to the Accused:

(8.) The Justices or the Clerk to the Justices shall then explain to the Accused that he is not obliged to plead or answer the Charge before them at all; that it is only on his pleading Guilty that the Case can be disposed of summarily by the Justices; and that if he do not plead or answer before them he will be committed for Trial by a Jury:

(9.) The Justices or the Clerk to the Justices shall then ask the Accused whether he is guilty or not of the Charge:

Accused pleading guilty to be sentenced.

(10.) If the Accused shall say that he is guilty, the Justices shall cause a Plea of Guilty to be entered at the Foot of the Depositions, and shall convict him of the Offence (T a), and adjudge him to be imprisoned for any Period not exceeding *Six Months*, with or without Hard Labour: But if it is proved that the Accused has been once previously convicted, and suffered Imprisonment or Whipping, in manner and in respect of any of the Offences mentioned and referred to in Paragraph (5.) of Section Ninety-eight, the Justices may (or if in any Case, where by the Act in that Behalf some other Punishment is provided for the Second or subsequent Offence, they shall deem it inexpedient to deal with such Case as directed by such Act, shall) adjudge the Accused to be imprisoned for not less than *Six* nor more than *Months*, with or without Hard Labour:

(11.) If he shall say that he is Not Guilty, the Justices shall proceed with the Case as upon a Committal for Trial.

Justices not to adjudicate under certain Circumstances.

100. Provided always, that if upon or at the Time appointed for the Hearing of any Charge it appear to the Justices that the Offence is one which, owing to a previous Conviction of the Accused proved before them, is punishable by Law with Penal Servitude (except where the Provisions in Paragraph (5.) of Section Ninety-eight, or Paragraph (5) of Section Ninety-nine, are adopted in any Case,) or if such Justices be of opinion, before the Accused shall have made his Defence, that the Case cannot properly be disposed of, or cannot be adequately punished, under this Part of this Act, or that the Charge is, from any other Circumstances, fit to be made the Subject of Prosecution by Indictment rather than to be

24 & 25 Vic. c.96. ss.7,8,9.

be disposed of summarily, or if in any Case mentioned in Section Ninety-nine the Charge shall involve more than One Offence committed in respect to different Complainants, such Justices shall, in either of such Cases (unless they are of opinion that a Failure of Justice is likely to arise by the Accused being sent for Trial), instead of summarily adjudicating thereon, deal with the Case in all respects as if this Part of this Act had not been passed.

Effect of Conviction under this Part of Act. 10 & 11 Vict. c. 82. s. 12. 18 & 19 Vict. c. 126. s. 11.

101. Every Conviction (T a) under this Part of this Act shall have the same Effect as a Conviction upon Indictment for the same Offence would have had, save that no Conviction under this Part of this Act shall be attended with any Forfeiture.

Proceedings under this Part of Act a Bar to further Proceedings. 10 & 11 Vict. c. 126. s. 12.

102. Every Accused who is dismissed from the Charge made against him, or is convicted, under this Part of this Act, shall be released from all further or other Criminal Proceedings for the same Cause, up to the Period of such Dismissal or Conviction.

Restitution of Property stolen, &c. 10 & 11 Vict. c. 82. s. 12. 18 & 19 Vict. c. 126. s. 8. 24 & 25 Vict. c. 96. s. 100.

103. Whenever any Accused is convicted under this Part of this Act, and also where the Justices under Section Ninety-eight, deem the Offence proved, but do not inflict any Punishment, the convicting or adjudicating Justices may, verbally or in Writing, order Restitution of the Property stolen, embezzled, or obtained, in those Cases in which the Court before whom the Accused is convicted would, but for this Part of this Act, have been tried, is by Law authorized to order Restitution.

Convictions to be returned to Quarter Sessions. 10 & 11 Vict. c. 82. s. 11. 18 & 19 Vict. c. 126. s. 7.

104. The Clerk to the Justices shall, whenever a Conviction takes place under this Part of this Act, enter the same in the "Register of Decisions" mentioned in Section Sixty-nine of this Act, and also draw up and transmit all such Convictions to the next Court of General or Quarter Sessions of the County or Place, there to be kept by the proper Officer among the Records of the Court, but such Clerk shall retain in his Custody the Depositions of the Witnesses, and also the Statement or Plea of the Accused.

Justices may order Payment of Expenses of Prosecutions. 10 & 11 Vict. c. 82. ss. 14, 15, 16. 18 & 19 Vict. c. 126. s. 14.

105. Where any Charge is summarily adjudicated upon, or an Accused is convicted, under this Part of this Act, the adjudicating or convicting Justices may, upon the Request of the Prosecutor of such Charge, grant such Prosecutor a Certificate (T b) of the Amount of the Compensation which such Justices deem reasonable for his Trouble and Loss of Time, and that of his Witnesses, and also for the Expenses incurred by him in and about the Prosecution, including therein a Fee of not exceeding One Guinea for his Counsel or Attorney conducting the Prosecution before them,

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and the Fees payable or paid to the Clerk to the Justices and Clerk of the Peace in respect of the Proceedings, all Expenses of apprehending and detaining the Offender, and such other Expenses as are by Law payable when incurred before a Commitment for Trial; and every such Certificate shall have the Effect of an Order of Court for the Payment of the Expenses of a Prosecution made under the Act of the Seventh Year of King George the Fourth, Chapter Sixty-four, and the Acts amending the same; and the Amount mentioned in such Certificate may be paid in the first instance by the Clerk to the Justices, and Four Times in every Year the Amount of all such Certificates so paid by such Clerk shall be repaid to him in like Manner as the Money mentioned in such Order of Court: Provided always, that all such Certificates shall be subject to the like Regulations made or to be made in relation thereto as the Certificates mentioned in the last-mentioned Act to be granted by examining Magistrates are or may be subject to under the Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five, or any Act amending the same.

7 Geo. 4. c. 64.

14 & 15 Vict. c. 55.

References to 10 & 11 Vict. c. 82. and 18 & 19 Vict. c. 126. to be to this Part of Act.

See 24 & 25 Vict. c. 96. ss. 7, 9.

106. Whenever in any Act the Act of the Tenth and Eleventh Years of Her Majesty, Chapter Eighty-two, or the Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty-six, is referred to or incorporated, this Part of this Act, or the corresponding Provision thereof here enacted, as the Case may be, shall be read and understood instead as follows; (that is to say,)

(1.) Section Ninety-six shall be read and substituted for the said Act of the Tenth and Eleventh Years of Her Majesty:

(2.) Sections Ninety-seven and Ninety-nine, with all Provisions relative thereto, shall be read and substituted generally for the Provisions of the said Act of the Eighteenth and Nineteenth Years of Her Majesty.

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PART XI.

SPECIAL SESSIONS MATTERS.

This Part of Act to apply to all Special Sessions.

107. The Provisions contained in this Part of this Act shall apply to every such Special Sessions and Sessional Division as is mentioned in Section Four of this Act, held under any Act now in force or hereafter to be passed, without any special Reference being made hereto in such last-mentioned Act, save so far as this Part of this Act shall be expressly varied or excepted by such Act: Provided always, that Section One hundred and twelve, Section One hundred and thirteen, (except Paragraphs (5), (6), and (7), Section One hundred and fourteen, and Section One hundred and fifteen

Proviso as to certain High Constables in Office, &c.

fifteen (except Paragraph (1.),) shall not extend to or take effect in any Sessional Division or any Part thereof where the Office of High Constable of any Wapentake, Division, or Hundred therein, or Part thereof, is at the Commencement of this Act held for Life or during good Behaviour, until such High Constable shall die, or resign or cease to hold such Office; and until such Vacancy shall arise such several High Constables and the Clerks to the Justices shall continue to discharge their several and respective Duties in respect to such Wapentake, Division, or Hundred, or Part thereof, or in respect to any Parish or Parishes thereof in such Sessional Division, and be entitled to receive the same Fees, Salaries, or other Emoluments as heretofore.

What previous Sections to apply.

108. The Sections of this Act respectively numbered Forty-eight, Forty-nine, Fifty-one, Fifty-two, Fifty-three, Sixty-two, Sixty-three, Sixty-four, Sixty-nine, Seventy-six, Seventy-seven, Seventy-eight, Seventy-nine, Eighty-one, Eighty-three, and Eighty-four shall not apply to any Matter done or transacted at or in Special Sessions; but Section Sixty-seven shall so apply.

Justices annually in December to appoint the Days of holding Special Sessions for the Year ensuing:

109. Notwithstanding anything contained in any Act to the contrary, the Justices of every Sessional Division assembled at a Special Sessions holden for that Purpose on some Day within the Month of December in the present and every future Year (to be named by the Clerk to the Justices, and summoned either verbally or in the Mode provided by Paragraph (5) of Section One hundred and thirteen,) shall appoint the particular Day, Hour, and Place upon and at which each and all of the several Special Sessions shall be holden in and for such Sessional Division in the Year then next ensuing (except such Special Sessions as can be held and summoned only as the Occasion for the holding thereof may arise), and the special Purpose for which each is to be holden; but this Enactment shall be subject to the following Provisions; (that is to say,)

When Time fixed by Act.

(1.) Whenever any Act shall direct or appoint the Time or Times at or within which any Special Sessions is to be holden, or the Number of Special Sessious in the Year, the Provisions of such Act shall be observed, except with reference to Adjournments provided in Section One hundred and twenty-one:

Where holden.

(2.) The Special Sessions shall be holden at the Place mentioned in Section One hundred and seventeen:

Appointment.

(3.) The Clerk to the Justices shall enter the said Appointment (U a) in the "Special Sessions Book" mentioned in Section One hundred and twenty-two:

(4.) Such

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List of Special Sessions to be prepared;

(4.) Such Clerk shall prepare from such Appointment a List (U b) of the Special Sessions appointed, and shall during the Year hang up and keep the same List hung up in his Office, and in the Place of holding Petty or Special Sessions:

and sent to Justices, Parochial Officers, &c.

(5.) Such Clerk shall likewise send or deliver a printed Copy of the said List on or before the Seventh Day of January then next to every Justice entitled to attend Special Sessions, to the Clerk of the Peace for the County or Borough, to the Clerk of the Guardians of every Union, to the Overseers of the Poor and Surveyors of Highways of every Parish in the Sessional Division, to the Clerk and District Surveyor of each Highway District, and to the Superintendent or other Head Officer of Police of each such Division:

(6.) Such Superintendent or other Head Officer of Police shall within the First Fourteen Days of the said Month of January affix or cause to be affixed on the principal Door of every Church and Market or other Public Place in such Division a printed Copy of such List, for which Purpose a sufficient Number shall be supplied to him by such Clerk.

As to Special Sessions held only occasionally.
7 & 8 G. 4. c. 31.
6 & 7 Vict. c. 68.
2 & 3 Vict. c. 84.
1 & 2 W. 4. c. 41.
2 & 3 Vict. c. 35.

110. In those Cases where Special Sessions can be held and summoned only as the Occasion for the Holding thereof shall arise, the Justices acting in the Matter in relation to which such Special Sessions is necessary to be holden may appoint the Day and Hour upon and at which the same shall be holden, or on their Default any One Justice of the same Jurisdiction, or the Clerk to the Justices, shall do so.

Notices now given to Petty Constables to be given to Clerk to Justices, &c.
9 G. 4. c. 61. ss. 10, 11.

111. All Notices required by the Acts relating to the licensing of Alehouses and Billiard Rooms, or by any other Acts, to be served on any Petty Constable or other Peace Officer by any Applicant for a Licence, shall hereafter be addressed and given to the Superintendent or other Head Officer of Police of the Sessional Division instead, and to the Clerk to the Justices also.

Proceedings under 7 & 8 G. 4. c. 31. to be conducted by Clerk to Justices instead of High Constables.
7 & 8 G. 4. c. 31. ss. 4, 7, 8, 9, 10.

112. Whenever by the Act of the Seventh and Eighth Years of King George the Fourth, Chapter Thirty-one, or any other Act, any Notice is to be given to or by, any Process served upon, or any Matters are authorized or required to be done by the High Constable of a Hundred, such Notice, Process, and Matters shall hereafter be given to or by, and served upon, and done by the Clerk to the Justices in respect of the Parishes or Places within the Sessional Division for which he is such Clerk instead of such High Constable; and such Clerk shall have the same Powers, Rights, and Remedies as such High Constable would have had by virtue of the said Acts, and shall be subject to the same Liabilities.

Mode of summoning and giving Notice of Special Sessions:

113. The Mode of summoning and giving Notice of every Special Sessions appointed as aforesaid, as well as the Manner of directing the Performance of any Act or Duty by any Person in relation thereto, shall be as follows; (that is to say,)

Clerk to prepare all Notices and Precepts.

(1.) The Clerk to the Justices shall, in sufficient Time before the holding of each Special Sessions, prepare and sign every Notice and Precept as are now or may be by Law necessary and required to be given, issued, or sent of or in relation to such Special Sessions:

Clerk to direct Overseers, &c. to perform required Acts.

(2.) Whenever by any Statute any Act or Duty in relation to a Special Sessions is directed or required to be done or performed by any Churchwardens, Overseers, Surveyors of Highways, or other Officers or Persons, such Clerk shall by a Precept (U d) direct and require such Act or Duty to be done and performed by them respectively:

Clerk to direct a Constable to affix Notices on Church Door and serve Notices and Precepts.

(3.) Wherever by any Act any Notice from the Justices in relation to a Special Sessions is to be affixed to or on the Door of any Church or Chapel, or any Notice or Precept is to be delivered to or served on other Persons than Justices, such Clerk shall by a Precept (U e) direct and require any Superintendent of Police or other Constable by Name (who shall be previously nominated for that Purpose by the Justices at a Petty Sessions for the Sessional Division) to affix, deliver, or serve such Notice or Precept accordingly; or such Clerk may, as respects such Delivery or Service, address and send such Notice or Precept in the Manner next herein-after provided:

Notices, &c. to be sent to Persons.

(4.) Such Clerk shall address and send by the Post in the ordinary Way every such Notice (U c) (except to Justices) and Precept at and within such Time and Times as such or the like Notices and Precepts have been usually sent or are now or may be required by the Act or Acts in that Behalf:

Seven Days Notice to Justices.
7 & 8 Vict. c. 33. s. 7.
1 & 2 W. 4. c. 32. s. 18.
2 & 3 Vict. c. 35. s. 1.
6 & 7 Vict. c. 68. s. 5.

(5.) Such Clerk shall send by the Post in the ordinary Way, Seven Days at least (except as next herein-after provided) before the holding thereof, Notice (U f) of every Special Sessions addressed to each Justice referred to in Section One hundred and sixteen at his Residence:

Sessions as to Special Constables.

(6.) In Cases where a Special Sessions is necessary to be holden for any Purpose relating to Special Constables it shall be sufficient to give such Notice of the holding thereof as the Exigency of the Case will permit:

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Notices to be given to Justices only, unless Act otherwise directs.

(7.) Unless any Act now in force or hereafter to be passed shall expressly otherwise direct, no Notice of a Special Sessions shall be given to any other Persons than Justices as herein provided.

2 & 3 Vict. c. 84.
1 & 2 W. 4. c. 41.
6 & 7 Vict. c. 68.
1 & 2 W. 4. c. 32.
Persons to obey Precepts of Clerk.

114. Every Person to or by whom any such Precept as aforesaid is directed or received shall obey the same as if it had been signed and issued by the Justices or High Constable as heretofore, and under the like Penalties for Neglect of Duty.

Fees to Clerk for summoning Special Sessions, &c. to be a Charge on County or Borough Fund.

115. From and after the *Commencement of this Act* no separate Fee shall be demanded or received by any Clerk to the Justices from any Person or Party to any Matter before a Special Sessions, or from any Parochial Officer, for or in respect of any Notice or Precept as is mentioned in Section One hundred and thirteen; but in lieu thereof every such Clerk shall be entitled to be paid, at the Time herein-after mentioned, out of the County Rate or Borough Fund in or to which the Sessional Division is situate or belongs, (which Payment the Treasurer of such County or Borough is hereby directed to make,) the Sums under mentioned; (that is to say,)

(1.) In the Month of *January* after the passing of this Act, and in the same Month of every succeeding Year, for the Duties mentioned in Section One hundred and nine, the Sum of *Sixpence* in respect of each Copy of the List sent or delivered as therein required:

(2.) In the Month of *January One thousand eight hundred and sixty-seven*, and in the same Month of every succeeding Year, for the Notices and Precepts mentioned in Section One hundred and thirteen, the Sum of *Ten Shillings* in respect of each Parish in the Sessional Division of such Clerk.

What Justices may attend Special Sessions.
9 G. 4. c. 61. s. 7.
8&9 Vict. c. 109. s. 1.
1&2 W. 4. c. 32. s. 18.
6 & 7 W. 4. c. 96 s. 6.
7 & 8 G. 4. c. 31.
6&7 Vict. c. 68. s. 5.
2 W. 4. c. 41. ss. 1, 4.
5 & 6 W. 4. c. 76. s. 98.

116. Those Justices only who are competent to act for and are resident within the Sessional Division, or are resident without and usually act in Petty Sessions for such Division, if it form Part of a County, shall be entitled to attend and act as such Justices at any Special Sessions for such Sessional Division.

Where Special Sessions holden.
12 & 13 Vict. c. 18. ss. 2, 3.
5 & 6 W. 4. c. 76. s. 100.

117. Every Special Sessions shall be holden at the same Place or One of the same Places within or for the Sessional Division, and in the same Room or Building, or One of the same Rooms or Buildings, as for the Time being is appointed, provided, or used for the holding of Petty Sessions.

118. Not

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Constitution of Special Sessions.

118. Not less than Three Justices (unless the Parties to any Matter before the Special Sessions shall consent to Two Justices only) shall constitute a Special Sessions; and every Matter before a Special Sessions shall, in the Case of a Difference of Opinion amongst the Justices present, and who interfere or act therein, be determined by the Majority of such Justices, if more than Two, or if only Two be present then such Two must agree in Opinion, or the Special Sessions be adjourned, as herein-after provided, or if it be not adjourned the Matter shall be deemed undetermined and may be brought before a subsequent Special Sessions, if practicable; and any Decision or Adjudication made by the Majority of such Justices shall bind the others of them, and be deemed the Decision or Adjudication of such Special Sessions, or of the Justices thereat.

What Business to be done at Special Sessions.

119. No other Business which is by Law required to be done at or in Special Sessions shall be transacted at a Special Sessions than that which is specified in the Notice of such Special Sessions sent to the Justices; but either before or after the holding of the same, or during any Interval of Business therein, the Justices there assembled, or any One or more of them, may do and perform any other Act or Duty of such Justices or Justice required to be done in Petty Sessions or otherwise, as if they or he were or was not then in Special Sessions assembled.

Order, &c. of Special Sessions to be signed by Two Justices only. 6 & 7 Vict. c. 68. s. 5.

120. Every Order of a Special Sessions (U g), Licence, or other Document requiring Signature, shall be valid if signed by the Chairman thereof, the Names of the other Justices present and interfering with or acting in the Matter being stated thereon.

Special Sessions may be adjourned by Justices or Clerk. 9 G. 4. c. 61. s. 3. 1 & 2 W. 4. c. 41. s. 14. 1 & 2 W. 4. c. 32. s. 18. 6 G. 4. c. 50. s. 10. 7 & 8 G. 4. c 31. s. 9. 6 & 7 W. 4. c. 96. s. 6.

121. Notwithstanding anything contained in any Act or Acts to the contrary, the Justices present at any Special Sessions may from Time to Time, or if only One Justice shall attend at the Time and Place appointed for holding the same, or within One Hour after the Hour appointed, then such One Justice, or if no Justice shall attend within such Time, or be present at the Expiration of such Time, then the Clerk to the Justices, shall adjourn such Special Sessions, or any Matter not fully heard or determined, or upon which no Decision or Adjudication has been made in consequence of a Difference of Opinion amongst the Justices or otherwise, to such Day and Hour, but at the same Place, as they or he shall think fit, and to be then appointed and stated in open Court; and this Enactment shall be subject to the following Provisions; (that is to say,)

(1.) Such Clerk shall make an Entry of the Adjournment and the Cause thereof, in the "Special Sessions Book" mentioned in Section One hundred and twenty-two:

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25 & 26 Vict. c. 107. s. 8.

(2.) No Notice or Precept of or relating to such Adjournment shall be affixed on any Place, or given to or served on any Person, except the Justices who shall not attend the Special Sessions so adjourned, and except as provided by Section Eight of "The Juries Act, 1862:"

(3.) No Business or Matter by Law required to be done at or in Special Sessions shall be transacted or heard or determined on such Adjournment Day, except such as was specified in the Notice sent to the Justices of the original Special Sessions, or which was not fully heard or was not determined at such original Special Sessions:

Acts done after Period allowed not invalid.

Provided always, that no Act of the Justices at any Special Sessions done or exercised after or at any other Time than allowed or provided by the Act relating to the Business thereat shall by reason thereof be invalid.

Proceedings to be entered in a Book.

122. Minutes of all Proceedings had at and before any Special Sessions shall be entered in a Book to be called the "Special Sessions Book," to be kept for that Purpose by the Clerk to the Justices and be signed by him at the End of each Day's Proceedings.

Home Office may make Rules of Practice for Special Sessions, 24 & 25 Vict. c. 130. s. 2. 6 & 7 W. 4. c. 96.

123. The Home Office may from Time to Time make Rules as to all or any Sessional Division:

(1.) For regulating the Mode of applying for the Grant or Transfer of Licences required by any Act to be granted by Special Sessions, and the conducting and hearing of such Applications:

(2.) With respect to the entering, conducting, and hearing Appeals against Rates or Assessments:

(3.) With respect to other Matters of Business before Special Sessions:

And may alter, amend, or rescind any such Rules; and all such Rules, when so made, altered, or amended, shall be published in such Mode as the Home Office shall think fit, and shall be observed by and be binding on all Persons whomsoever; and a Copy thereof shall be hung up, and kept hung up, in the Office of the Clerk to the Justices, and in the Place of holding Special Sessions and Petty Sessions.

which shall be hung up in Clerk's Office.

PART

PART XII.

Part XII.

Execution of Warrants.

To whom Warrants to be addressed.

124. The Persons to whom Warrants shall be addressed for Execution shall be as follows:

11 & 12 Vict. c. 42. s. 10. 11 & 12 Vict. c. 43. s. 3. 14 & 15 Vict. c. 93. s. 25.

(1.) Warrants to arrest or distrain for Penalties or other Sums than for Local Rates or Taxes may be addressed to any Constable or other Person than the Complainant, by Name, or generally to the Constable of the Parish or other District in which the same is to be executed, without naming him (whether such Parish or District be within the Justices Jurisdiction or not), or to such Constable and all other Constables within the County or Place within which the Justice issuing such Warrant has Jurisdiction, or generally to all the Constables within such last-mentioned County or Place:

(2.) Warrants of Commitment to Prison shall in all Cases be addressed to the Constables of the Constabulary Force of the County or Place, and to the Keeper of the Gaol, within which the Justice issuing such Warrant has Jurisdiction:

(3.) Warrants of Distress for Local Rates or Taxes shall be addressed to any Constables and to the Persons to whom such Rates or Taxes are payable, and to the Collector of such Rates or Taxes.

By whom and how Warrants to be executed:

125. The Execution of Warrants shall be subject to the following Provisions:

How long force. 11 & 12 Vict. c. 42. s. 10. 11 & 12 Vict. c. 43. s. 3.

(1.) Every Warrant shall remain in full Force until it shall be executed, notwithstanding the Justice who shall have signed the same shall in the meantime have died or ceased to be such Justice:

By whom and where Warrants may be executed.

(2.) Every Warrant may be executed anywhere by the Person to whom it is addressed, or, if addressed generally to all Constables of the County or Place within which the Justice issuing such Warrant has Jurisdiction, then by any One or more of such Constables:

Warrants may be executed in England without being endorsed. 2 & 3 Vict. c. 71. s. 17. 27 & 28 Vict. c. 53. s. 8.

(3.) Any Warrant whatever may be executed anywhere in England out of the Jurisdiction of the Justice granting it, without being indorsed by a Justice having Jurisdiction in the County or Place where the same shall be executed:

Transmitting Warrant to other Districts for Execution.

(4.) Where any Warrant is addressed to the Constables of any Parish or District out of the Jurisdiction of the Justice issuing such Warrant, any Superintendent of Police or other Constable shall, if so directed by the Justice signing such Warrant, transmit it to the Constables where it is to be executed, or the Clerk to the Justices may so transmit it for Execution:

PART XII.

Persons apprehended to be taken before Justice where indictable Offence committed, except in certain Cases.

(5.) Where any Person accused of an indictable Offence is apprehended out of the Jurisdiction of the Justice granting the Warrant for such Offence, and the Prosecutor or any of the Witnesses for the Prosecution shall then be in the County or Place where such Accused is so apprehended, the Constable or other Person who shall have apprehended such Accused may (and, if so directed by the Justice who issued such Warrant, or if such Person is so apprehended without any Warrant, shall) take him before some Justice of the same County or Place, who may thereupon take the Depositions of such Prosecutor or Witnesses, and proceed in every respect as directed in such Case by Paragraph (9) of Section Eighty-eight of this Act:

Constable need not produce Warrant to Person apprehended.

(6.) The Constable or other Person executing any Warrant of Apprehension shall not be obliged to produce the same to the Person apprehended at the actual Time of such Apprehension, but shall, if required, (in other Cases than indictable Offences,) do so within the Period of Twenty-four Hours thereafter, otherwise the Person apprehended shall be discharged from Custody, unless previously to the Expiration of such Period he shall be taken before a Justice.

Backing Warrants out of England:

126. The Manner in which such Warrants shall be backed for Execution out of England, or Warrants issued out of England for Execution in England, shall be as follows:

Ireland, Scotland, and Channel Isles from England.

11 & 12 Vict. c. 42. ss. 12, 13.

14 & 15 Vict. c. 55. s. 18.

(1.) Whenever it shall appear that the Person or his Goods are to be found in some Place in Scotland or Ireland, or in the Isles of Man, Guernsey, Jersey, Alderney, or Sark, it shall be lawful for any Justice or Officer having Power to issue any Warrant or Process in the Nature of a Warrant for the Arrest of Offenders in any of the said Places, upon Proof of the Handwriting of the Justice by whom the Warrant shall have been issued, to indorse the same according to the Form (V b), authorizing its Execution within the Jurisdiction of the said Justice or Officer by the Person bringing the same, or by any Constable of the County or Place where it shall be so indorsed:

In England from Ireland Scotland, and Channel Isles.

(2.) Whenever any Person against whom any Warrant shall be issued by any Justice or other such Officer as aforesaid in Scotland or Ireland, or in the Isles of Man, Guernsey, Jersey, Alderney, or Sark, for any Crime or Offence, shall reside or be, or be suspected to reside or be, in any Place in England, it shall be lawful for any Justice in England to indorse the same in like Manner and upon like Proof as aforesaid, authorizing the Execution of the same within his Jurisdiction:

Above Provisions to apply to Judges Warrants
14 & 15 Vict c. 93. s. 30.

(3.) The aforesaid Provisions as to the Indorsement of Warrants shall equally apply to any Warrant for the Arrest of any Person charged with any indictable Crime or Offence for which he is punishable by Law, whether the same shall be signed or indorsed or issued by a Justice of the Peace, or by a Judge of Her Majesty's Court of Queen's Bench, or Justices of Oyer and Terminer and General Gaol Delivery in England or Ireland, or by the Lord Justice General, Lord Justice Clerk, or any of the Lords Commissioners of Justiciary, or by any Sheriff or Stewart Depute or Substitute, in Scotland:

Warrants so indorsed to be valid for Execution.
14 & 15 Vict. c. 93. s. 31.

(4.) Whenever any Warrant is so indorsed by any Justice or other such Officer as aforesaid, it shall be a sufficient Authority to the Person bringing such Warrant, and also to all Constables of the County or Place where such Warrant shall be so indorsed, to execute same by Arrest, Committal, or Levy, as the Case may be, within the Jurisdiction of the said Justice or Officer, and in case of a Warrant to arrest any Person to convey him when arrested before the Justice or Officer by whom the same was issued, or before some other Justice or Officer of the same County or Place, to be dealt with according to Law.

When Warrants for indictable Offences, &c. may be executed.
11 & 12 Vict. c. 42. s. 4.
14 & 15 Vict. c. 93. s. 11. Para. 1.

127. Any Warrant for any indictable Offence, or any Search Warrant (V a), may be granted, issued, or executed, and any Person escaping from the Constable having him in Custody under any such or any other Warrant may be retaken, on a Sunday as well as on any other Day.

Execution of Distress Warrants and Committals.
14 & 15 Vict. c. 93. s. 32.

128. The Manner in which Distresses and Committals under Warrants shall be made shall be as follows:

When addressed to Constables.
When addressed to other Persons for Rates.

(1.) Whenever any Warrant to levy any Penalty or other Sum by Distress is addressed to any Constable the Sums levied under it shall be accounted for under Section Seventy-four of this Act; but whenever any such Warrant is addressed to any other Person than a Constable, as in the Case of Rates or Taxes, such Person shall pay over the Sum levied under it to the Persons who appear by such Warrant to be entitled to the same, or in such other Manner and subject to such Account of the same as the Justice shall direct:

What Goods may be taken.
9 & 10 Vict. c. 95. s. 96.

(2.) Every Constable or other Person executing any such Warrant may, by virtue thereof distrain and take any of the Goods and Chattels of the Person against whom the same is issued (except the Wearing Apparel and Bedding of such Person or his Family, and the Tools and Implements of his Trade to the Value of Five Pounds, which shall to that Extent be protected from such Distress), and also any Money, Bank or other Notes, belonging to such Person; and no Distress under any such Warrant shall be repleviable:

No Replevy allowed.

Distress may be sold in a certain Time.

(3.) In every Case where a Distress is made under any such Warrant the Person charged with its Execution may sell or cause to be sold the said Distress within the Period specially fixed by the said Warrant, or if no Period is so fixed then within the Period of Five Days from the making of the Distress, unless the Sum for which the Warrant was issued, and also the reasonable Charges of taking and keeping the said Distress, be sooner paid; and in every Case where he shall sell or cause to be sold any such Distress he shall render to the Owner the Overplus, if any, after retaining the Amount of the said Sums and Charges:

On Payment of Penalty, &c. Distress not to be levied.

(4.) In every Case where any Person against whom any such Warrant is issued shall pay or tender to the Person having the Execution of the same the Sum mentioned in such Warrant, or shall produce the Receipt of the Clerk to the Justices for the same, and shall also pay the Amount of the Expenses of such Distress up to the Time of such Payment or Tender, such Person shall refrain from executing the same:

Scale of Charges for Distresses in 57 G. 3. c. 93. to be applicable.

(5.) The Scale of Charges on Distresses for Rent contained in the Act of the Fifty-seventh Year of King George the Third, Chapter Ninety-three, and all the Provisions of the said Act in reference thereto, shall extend and apply to all Distresses made under any such Warrant, as herein mentioned, whether the Sum mentioned therein shall exceed or shall not exceed the Sum of Twenty Pounds:

Distress may be sold by Auction by a Constable without Licence.

(6.) In every Case where any Constable is empowered to distrain any Goods under such Warrant, he may and is hereby authorized either himself to sell the same by Auction, without procuring any Licence to act as an Auctioneer, or else to cause the same to be sold by some Auctioneer duly licensed, and may deduct out of the Amount of such Sale all reasonable Costs and Charges actually incurred in effecting the same; but no Sale shall be made unless the Goods are, in the Opinion of such Constable, sufficient to satisfy the Sum mentioned in the Warrant, as well as such Costs and Charges:

If Sum paid after Committal Prisoner to be discharged.
11 & 12 Vict. c. 43. s. 28.

(7.) In every Case where any Person apprehended under any Warrant shall pay or cause to be paid to the Keeper of the Gaol in which he shall be imprisoned the Sum mentioned in the Warrant, the said Keeper shall receive the same, and shall thereupon discharge such Person, if he be in his Custody for no other Matter:

Gaoler to give Receipt for Prisoners.
11 & 12 Vict. c. 42. s. 26.

(8.) Whenever the Warrant is to commit any Prisoner to Gaol, the Constable whose Duty it shall be to convey such Prisoner to Gaol shall deliver over the said Warrant and the said Prisoner to the Keeper of the Gaol, who shall thereupon give to such Constable a Receipt (P) for such Prisoner, setting forth the State and Condition in which he shall have been delivered into the Custody of such Keeper:

To what Prisons Offenders shall be committed in summary Proceedings.

(9.) In any Case in which a Justice shall order any Person to be committed to Gaol for any Period, either in default of Payment of any Sum, or in default of Distress, or as a Punishment for any Offence, such Committal shall be to the County Gaol, District Bridewell, or House of Correction of the County or Place for which the Justice signing the Warrant shall have acted or to which the Offender shall be liable to sent; and whenever any Justice shall order any Person to be committed on account of any Adjournment of the Hearing, or until the Return of a Warrant of Distress, or for any like temporary Purpose, such Committal shall be either to the Gaol or House of Correction, District Bridewell, or to any Bridewell or Lock-up of the County or Place, according as shall appear to the Justice most convenient for that Purpose:

Gaoler to produce Prisoner on Adjournment or Remand.

(10.) In the last-mentioned Cases, the Keeper of the Gaol or the Person having the charge of any other Place shall bring or cause to be brought such Person, at the Time and Place fixed by the Warrant for that Purpose, before such Justice as shall then be there.

Return of unexecuted Warrants.
14 & 15 Vict. c. 93. s. 33.

129. Whenever the Constable or other Person to whom any Warrant is so addressed or transmitted for Execution shall be unable to find the Persons against whom such Warrant is issued, or his Goods, as the Case may be, or to discover where such Person or his Goods are to be found, he shall return such Warrant to the Clerk to the Justices, within the Time fixed by such Warrant (or within a reasonable Time where no Time is fixed), together with it a Certificate (V c) of the Reasons why the same has not been executed; and any Justice or such Clerk may examine such Person on Oath touching the Non-execution of such Warrant, and any

Part XII.

Justice may re-issue the said Warrant again, or issue any other Warrant for the same Purpose, from Time to Time as shall seem expedient.

Part XIII.

PART XIII.

Recognizances.

Mode of binding Persons to appear, &c. to be by Recognizance:

130. Whenever any Person shall under this Act or any other Act be bound to appear to answer any Complaint or Charge, or to give Evidence as a Witness, or to prosecute any Person accused of an Offence, or to keep the Peace or be of good Behaviour, or to do or refrain from doing any future Act or Offence or otherwise, or to appeal against any Decision of Justices, such Person shall be bound by Recognizance taken on the personal Appearance of such Person before a Justice, or the Clerk to the Justices, with or without Surety, as herein-after provided; and the Mode of binding, the Amount of such Recognizance, and the Form thereof, shall be subject to the following Provisions:

Married Women.

(1.) A married Woman may be so bound as a Principal or Witness only, whether living separate and apart from her Husband or not, or the Husband or other Person may be bound as Surety for her: but in indictable Offences the Provisions contained in Section Eighty-nine of this Act as to requiring the Husband to be so bound shall apply:

Minors.

(2.) Any Person under Twenty-one Years of Age may be so bound as a Principal or Witness only (subject to the Provisions of Section Eighty-nine of this Act in indictable Offences), or any Person may be bound as Surety for such Person:

Other Persons.

(3.) Other Persons shall be bound in person:

Only Householders as Surety.

(4.) No Person who is not a Householder, Tenant, or Occupier of a Dwelling House, or of Part thereof, shall be a Surety for any Person:

Amount of Recognizance.

14 & 15 Vict. c. 93. s. 34.

(5.) The Recognizance shall be in such Amount as the Justice shall think expedient, except in Cases of Appeal under Sections Seventy-seven and Seventy-eight of this Act, in which the Amount shall be as therein provided:

Oath to Surety.

57 G.3. c. 56.

(6.) In order to ascertain the Solvency or Sufficiency of any Person offered as Surety, the Justice, or Clerk to the Justices, may examine such Person on Oath as to his Residence and Place of Business, and his Means and Property to meet the Amount of the Recognizance, should it be estreated:

Certain Recognizances to be en-

(7.) In Cases where the Recognizance shall be conditioned for the Appearance of any Person before any Justice or Justices out of Sessions, at any Petty Sessions or otherwise, or in Cases of Appeal under Sections Seventy-seven and Seventy-eight of this Act, and also in every Case where this Provision is in this Act otherwise expressly referred to, a proper Entry thereof, or of any Deposit of Money in lieu of Recognizance, or of any Certificate of the Non-performance or Non-compliance of the Condition of such Recognizance, and Forfeiture of the same, shall be made by the Clerk to the Justices in a Book kept for that Purpose, to be called the "Recognizance Book" (W a): tered in "Recognizance Book."

(8.) In Cases where any Person shall be bound to appear and plead to any Indictment, or to prosecute or give Evidence thereon, or to keep the Peace, or be of good Behaviour, and in all other Cases of Recognizances taken before a Justice, it shall be done by a separate Recognizance (W b): Other Recognizances to be by a separate Instrument.

(9.) Every such Entry of Recognizance, Deposit, or Certificate, shall be signed by the Justice or such Clerk, and, if the Justice or Clerk shall so require, also by the Persons bound, and shall for all Purposes be deemed sufficient Evidence of the making of such Recognizance, or of the Forfeiture of the same respectively: Entry to be signed.

(10.) Every such Entry and Recognizance shall particularly specify the Profession, Trade, or Occupation of every Person entering into the same, together with his Christian and Surname, and the Name of the Parish, Township, or Place, County, City, Borough, or Town, the Name of the Street, and the Number (if any) of the House in which he resides, and whether he is Owner or Tenant thereof, or a Lodger therein: To contain particular Description of Parties bound. 11 & 12 Vict. c. 42. s. 20.

(11.) Every Recognizance so taken either by an Entry in the "Recognizance Book," or by a separate Form, shall have the like Force and Effect in binding the Lands, Tenements, Goods and Chattels of the Persons acknowledging the same, and in all other respects, which any Recognizance now by Law has: To be binding on Lands.

(12.) A Notice of every such Recognizance (W c), signed by the Justice or such Clerk, shall at the same Time, or as soon after as can be, be given to each Person bound, or shall be left at or addressed by the Post to the usual Place of Abode of such Person: Notice of Recognizance.

(13.) Where any Recognizance is taken out of Petty Sessions, the Justice shall transmit a Minute thereof to such Clerk, who shall make an Entry thereof in "the Recognizance Book," or otherwise, as the Case may require: Recognizances taken out of Petty Sessions.

PART XIII.

Deposit of Money in lieu of Sureties in certain Cases.
24 & 25 Vict. c. 96. s. 110.
24 & 25 Vict. c. 97. s. 68.

(14.) A Justice may, in the Cases mentioned in Paragraph (7.) of this Section (except Cases of Appeal before provided for), in lieu of Surety or Sureties, permit the Party to deposit with such Clerk a Sum equal in Amount to the Sum in which the Surety or Sureties would have been bound: If the Condition in the Recognizance is not fulfilled, the Sum deposited shall be retained by such Clerk to await any Proceeding on such Recognizance as hereinafter provided: If the Condition of the Recognizance is fulfilled, the Sum deposited shall be returned by such Clerk to the Party making such Deposit:

Clerk to take Recognizances.

(15.) Whenever so directed by a Justice who has consented to admit any Person to Bail, or to accept any Person as Surety in any Case, such Clerk may, without the Justice being present, take the Recognizance, and such Recognizance so taken shall for all Purposes be deemed to have been taken and entered into before such Justice:

Recognizances may be taken before different Justices.

(16.) In Cases of Appeal under Section Seventy-seven or Seventy-eight of this Act, the Recognizances of the Appellants respectively, and their Surety or Sureties, and in Cases within the Eighth Part of this Act the Recognizance of the Defendant admitted to Bail, and his Surety or Sureties, may be taken before different Justices, if of the Jurisdiction where the Matter of Appeal or Complaint arose:

Discharge of Recognizances.

(17.) When the Condition of any Recognizance mentioned in Paragraph (7.) of this Section is complied with or performed, such Clerk shall write in the proper Column of the "Recognizance Book" the Word "performed," which Entry shall operate as a Discharge of the Party bound from such Recognizance.

Where Recognizance is to appear at Petty Sessions, &c. Justices may do certain Things.
10 G.4. c. 44. s. 9.
2 & 3 Vict. c. 4. ss. 69–72.
2 & 3 Vict. c. 71. s. 45.
2 & 3 Vict. c. xciv. ss. 51–54.
5 & 6 W. 4. c. 76. ss. 78, 79.

131. In all Cases of Recognizance out of Sessions conditioned for the Appearance of any Person before any Justice or Justices at any Petty Sessions or otherwise, whether the Recognizance shall have been duly taken by a Justice, or the Clerk to the Justices, or by any Constable attending at any Station House or Watch House as allowed by Law, the Justice or Justices before whom the Person bound ought to have appeared may proceed as follows:

(1.) He or they may, on the Application of either Party or his Counsel or Attorney, and with or without requiring the personal Appearance of the Party bound, enlarge such Recognizance to such further Time as the Justice or Justices shall appoint, unless the Person bound as Surety (if any) shall previously give Notice in Writing to the

Clerk to the Justices that he withdraws from being or objects to continue such Surety; and a Minute of such Enlargement shall be made in the "Recognizance Book:"

Enlarged Recognizance.

(2.) If the Defendant, Accused, or other Person bound shall not appear at the Time and Place mentioned in such Recognizance, or within One Hour after, the Justice or such Clerk shall certify in the "Recognizance Book" such Non-appearance; and the Entry thereof shall be deemed sufficient Evidence of such Non-appearance:

To certify Non-appearance;

(3.) The Justices in Petty Sessions, upon the Application of the Complainant in that Behalf, or any Constable, and upon Proof of the making of the said Recognizance, and of the Non-appearance of the Person bound, as in this Act provided, and that Notice in Writing, signed by the Clerk to the Justices, of the Application to estreat such Recognizance, was personally served upon or left or transmitted by Post at or to the usual or last known Place of Abode of the Person or of each of the Persons (if more than One) against whom it is sought to put such Recognizance in force, at least Seven Days before such Petty Sessions, or, if such Recognizance were entered into within such Seven Days, then not later than the Day next following that on which the same shall have been so entered into, may order (by making or causing to be made an Entry thereof in the said "Recognizance Book") that such Recognizance be estreated, to such Amount, not exceeding the Amount for which such Person was bound, as they shall see fit, and thereupon may issue a Warrant (I) to levy such Amount by Distress and Sale of the Goods of the Person who shall have acknowledged the same, and in default of Distress may commit such Person to Prison, as if the same were a Decision in an Offence Case under the Eighth Part of this Act; or if a Deposit of Money in lieu of Surety or Sureties has been made, then, instead of issuing such Warrant against such Surety or Sureties, may direct the Amount of such Estreat to be paid out of the Sum deposited, and the Remainder (if any) to be paid to the Person who made such Deposit:

and may summarily estreat Recognizance after Proof and Notice to Party. 14 & 15 Vict. c. 93. s. 34. 11 & 12 Vict. c. 43. ss. 1, 3, 9, 16.

But this Proceeding to enforce the Amount of or estreat the Recognizance shall not prevent any Justice from issuing his Warrant to arrest the Defendant or Accused to answer the Complaint or Charge made against him, or otherwise to proceed as the Case may require.

Not to prevent Issue of Warrant to arrest, &c.

Part XIII.

Other Recognizances to be transmitted to Clerk of the Peace. 16 & 17 Vict. c. 30. s. 2.

132. Other Recognizances than those referred to in the last preceding Section, and all Recognizances which Justices out of Quarter Sessions are not hereby empowered to estreat, or as to the Transmission of which no Provision is made by this Act, shall be transmitted by the Clerk to the Justices to the Clerk of the Peace of the County or Place for which the Justice taking the same shall have acted, to be by him filed among the Records of the General Quarter Sessions of the Peace.

Part XIV.

PART XIV.

Repeal of Acts, and Miscellaneous Provisions.

Repeal of Acts.

Repeal of Acts, &c.:

133. *From and after the Commencement of this Act* there shall be repealed the following Acts and Parts of Acts, so far as they respectively relate to England; (that is to say,)

In Third Schedule.

(1.) The Enactments described in the Third Schedule hereto to the Extent therein specified:

Reference to 11 & 12 Vict. c. 42. 11 & 12 Vict. c. 43. 20 & 21 Vict. c. 43.

(2.) All Sections and Enactments in Acts which refer, for the Manner of recovering or enforcing any Penalty, Forfeiture, or other Sum, or determining any Complaint, or hearing any Charge, or appealing against any Determination of Justices, to and incorporate the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-two, or the Act of the same Years, Chapter Forty-three, and any Act amending the same, or any Act of the present Session of Parliament, or the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Forty-three, or to any Provisions as to Procedure and Appeal contained in the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-six, respectively:

Acts as to Justices Clerks Fees, &c.

(3.) All Sections and Parts of Sections in Acts relative to Fees or Allowances to Clerks to Justices and Constables, which are not set forth in the said Schedule:

Acts as to particular Justices and Convictions on View.

(4.) All Sections and Enactments which require Offences and Matters within the Eighth Part of this Act to be heard and determined by the next Justice, or by a Justice in or near the Place, or of or for the Division where such Offence was committed or Matter arose, or within a Petty Sessional Division, or whereby a Justice is empowered to convict an Offender on his own View of the Offence:

PART XIV.

(5.) All Acts and Sections, and Parts of Sections or Acts, which contain a Procedure in any way different from or inconsistent with the Procedure herein enacted and provided for, or in respect of any of the Cases, Offences, and Matters within the Eighth, Ninth, Tenth, and Eleventh Parts of this Act respectively, or with the Provisions contained in any of the other Parts of this Act:

All Acts, &c. relating to Procedure.

And the Procedure herein enacted and provided in such Cases, Offences, and Matters respectively shall thenceforth be substituted for the Enactments hereby repealed; and such Procedure shall be applicable to all such Cases, Offences, and Matters respectively, as are or shall be cognizable before a Justice under any Act of the present Session of Parliament or thereafter to be passed, whether this Act is therein referred to or not, unless any Act of the next Session, or thereafter to be passed, shall otherwise express or provide.

134. The Repeal lastly enacted shall not affect,—

Saving Clause as to Repeal.

(1.) The past Operation of any such Enactment, Acts, or Sections:

(2.) Any Act done, or any Right or Liability already acquired, accrued, or now existing, under or by virtue of any such Enactment, Acts, or Sections:

(3.) Any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence already committed or Matter of Complaint already arisen:

(4.) The Institution or Prosecution of any legal Proceeding or any other Remedy for the ascertaining, determining, enforcing, or recovering of any such Liability, Penalty, Forfeiture, or Punishment.

Miscellaneous Provisions.

135. In every Case all Witnesses shall be examined upon Oath; and any Justice having under this or any other Act (whether the Matter in that Behalf is herein-after excepted from the Provisions of this Act or not) Authority to hear, receive, and examine Evidence, or to receive Proof of any Fact or Matter, or to take the Affidavit, Affirmation, or Declaration of any Person, shall and he is hereby empowered to administer and take, or cause to be administered and taken through the Clerk to the Justices, the usual Oath to every such Witness, to every Complainant, and to every other Person who shall appear before him to prove any such Fact or Matter, or to make such Affidavit, Affirmation, or Declaration.

Justices or Clerk to Justices to administer Oaths, &c.
11 & 12 Vict. c. 42. s. 17.
11 & 12 Vict. c. 43. s. 15.
14 & 15 Vict. c. 99. s. 16.

Statutory Declaration under 5 & 6 W. 4. c. 62. before Justices to be in shorter Form.

136. Hereafter any Declaration authorized to be taken and received by the Act of the Fifth and Sixth Years of His Majesty King William the Fourth, Chapter Sixty-two, shall, when taken and received by a Justice, be in the Form (X), in the Second Schedule hereto, instead of in the Form prescribed in the Schedule to the said Act.

As to Proof of certain Proceedings:

137. In any Proceeding before a Justice (except when the particular Fact and Circumstance shall be in dispute between the Parties, of which Notice in Writing shall have been given by the Party objecting to the opposite Party Twenty-four Hours before the Hearing,) no Proof or Evidence shall be required to be given or adduced of or relating to—

Parish Meetings.

(1.) The due convening or holding of any Vestry or any Parochial Meeting or Assembly of Persons, or of any Proceeding thereat, save and except the original Minute or Entry of such Meeting or Assembly, or a true Extract therefrom, signed or purporting to be signed or to be certified by the Chairman presiding thereat:

Poor Law Unions Commissioners, &c.

(2.) The Formation or Legality of any Poor Law Union, Highway District, or of any Board of Directors, Guardians, Waywardens, Trustees, or Commissioners, or of any Local Board, or of Persons formed or appointed pursuant to the Powers given by any Public or Private Act of Parliament, or of the Application of any Act to any District or Place for sanitary or other Purposes:

Special Sessions.

(3.) The appointing, convening, or summoning of any Special Sessions mentioned in the Eleventh Part of this Act, or of Notice of any Business to be transacted at any such Special Sessions:

Parish Rates.

(4.) The Allowance or Publication of any Parochial Rate or Assessment, or Assessment authorized to be made, raised, or levied under any Act of Parliament, or any Parochial Accounts, or of any Signature to any such Rate, Assessment, or Accounts:

Holding Public Offices.

(5.) The Nomination or Appointment of any Person holding any Public Office or Situation, or Office or Situation of a Public Nature, or in any Parish, or under any Poor-Law Union, or as to the Appointment or Constitution of any Corporation Sole or Aggregate, or Body of Persons, or Trustees or Commissioners, or of any Person appointed by or under, or acting or purporting to act under or in pursuance of the Provisions and Powers contained in or given by any Public or Private Act of Parliament, or in or by any Charter or Letter of Incorporation:

Notice of Public Meeting.

(6.) The holding of any Meeting, or Notice of holding or convening any Meeting, which by Law is required to be held, or to any Person to attend such Meeting or Place of Meeting, and who by Law is bound or compellable so to do, either upon or without Notice having been given or sent to him:

(7.) The due making, allowing, confirming, or publishing of any Byelaws, Rules, Orders, or Regulations purporting to be made by any Company, Local Board, Corporation, or other Body, pursuant to the Powers given by any Public, Private, or Local Act of Parliament.

Computation of Time in Proceedings before Justices:

138. The Computation of Time in any way relating to any Proceeding by and before Justices under this or any other Act, and in Appeals under Sections Seventy-seven and Seventy-eight of this Act, shall be subject to the following Provisions; (that is to say,)

Certain Days excluded.

(1.) Whenever an Act is necessary or required to be done within a limited Period after the doing of some other Act, or after the happening of some Event, the Day at the Beginning as well as the Day at the End of the Period, or the Day of doing the Act necessary or required to be done, as well as the Day of the Act or Event from which the Period is to be computed, shall be excluded in the Computation:

When any Day falls on a Sunday, &c.

(2.) Whenever the Day or last Day appointed for the doing of any Act shall be or fall on a Sunday, Christmas Day, Good Friday, or any Day appointed for a Public Fast or Thanksgiving, such Act, if done on the Day next following, (or if such Day happens to be one of the Days aforesaid, then on the Day next following) shall be valid in Law.

139. It shall be sufficient, in any Complaint or the Proceedings thereon, to describe the Owners or Ownership of the following Descriptions of Property as of the Persons or Bodies herein-after mentioned respectively; (that is to say),

Description of the Ownership in Property of Partners, &c:

(1.) Of Partners, Joint Tenants, Parceners or Tenants in Common, as of any One of such Persons who shall be named, and of another or others without naming him or them, as the Case may be:

Of Counties. 14 & 15 Vict. c. 93. s. 38.

(2.) Any Work or Building made, maintained, or repaired at the Expense of any County or Place, or any Materials for the making, altering, or repairing of the same, as of the Inhabitants of such County or Place respectively:

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In Goods provided for the Poor.

(3.) Any Goods provided by Parish Officers, Guardians of the Poor or their Officers respectively, for the Use of the Poor, as of the Overseers of the Poor of the Parish, or Guardians of the Poor of the Union or Parish to which the same belong, without naming any of them:

11 & 12 Vict. c. 43. s. 4. In Materials for Highways.

(4.) Any Property, Materials, and Tools vested in any Surveyor of Highways, or in any District Highway Board, or provided for the Repair of Highways at the Expense of the Parishes or Highway Districts in which such Highways may be situate, as of the Surveyor or Surveyors, or of the Highway Board of the District, respectively, as the Case may be, without naming him or them:

In Materials for Turnpike Roads, &c.

(5.) Any Materials or Tools provided for making or repairing any Turnpike Road, and any Buildings, Gates, Lamps, Boards, Stones, Posts, Fences, or other Things erected or provided for the Purpose of any such Turnpike Road, as of the Commissioners or Trustees of such Turnpike Road, without naming them:

Commissioners of Sewers, &c.

(6.) Any Property of any Persons described in any Act of Parliament or in any Charter or Letters of Incorporation as Commissioners of Sewers, Directors, Trustees, or by any other general Designation whatsoever, as of such Commissioners, Directors, Trustees, or Persons described by such other general Designation, without naming them:

Mentioning Owners or describing Property. 14 & 15 Vict. c. 100. s. 24.

And whenever it may be necessary to mention any of such Persons or Parties in any Complaint or other Proceeding, it shall be sufficient to describe them in manner aforesaid; and whenever it shall be necessary to mention any Property in any Complaint or other Proceeding it shall be sufficient to describe it as it may be described in Indictments.

Forms in Second Schedule to be deemed valid. 14 & 15 Vict. c. 93. ss. 36, 37. 11 & 12 Vict. c. 4. s. 28. 11 & 12 Vict. c. 43. s. 32.

140. In all Proceedings under this Act the several Forms in the Second Schedule to this Act contained (herein referred to by Letters), or Forms to the like Effect, shall be deemed good, valid, and sufficient in Law, and shall be the proper Forms to be used, even in Cases in which other and different special Forms shall be or shall have been provided by the particular Act or Acts under which the Complaint is made; but no Departure from any of the said first-mentioned Forms, or Omission of any of the Particulars required thereby, or the Use of any other Words than those indicated in such Forms, shall vitiate or make void the Proceeding or Matter to which the same shall relate, if the Form used be otherwise sufficient in Substance and Effect, and the Words used clearly express the Intention of the Person who shall use the same; and this Enactment shall be subject to the following further Provisions:

Several Offenders may be included.

(1.) Any Number of joint Defendants or Parties accused may be inserted in any of such Forms:

Dates and Sums.

(2.) Dates and Sums of Money may be stated in any of such Forms in Words or Figures, according as the Person using the same shall see fit:

General Terms to be used.

(3.) The Person at whose Instance the Proceeding shall take place may be termed in such Forms the "Complainant," whether he shall be an Informer or Prosecutor or otherwise; in Proceedings for indictable Offence the Party charged may be termed the "Accused," and in summary Proceedings, the "Defendant"; and the Matter of any Proceeding under this or any other Act may be termed the "Complaint."

No Objection to be allowed on Variances between Proceedings and Evidence: 14 & 15 Vict. c. 93. s. 38.

141. In Cases within the Eighth Part of this Act, the following Variances between any Form of Proceeding and the Evidence adduced in support of the Complaint shall not be deemed material, if the Requirements herein-after mentioned be proved:

(1.) Any Variance as to the Time at which the Offence or Matter of Complaint is alleged to have been committed or to have arisen, if it be proved that the Complaint was in fact made within the Time limited by Law for making the same:

11 & 12 Vict. c. 43. s. 9.

(2.) Any Variance as to the Place in which the Offence or Matter of Complaint is alleged to have been committed or to have arisen, if such Offence or Matter be proved to have been committed or to have arisen within the Jurisdiction of the Justice by whom such Complaint is being or shall be heard and determined:

And no Objections to be allowed for Defects in Substance or Form of Proceedings, &c. 11 & 12 Vict. c. 42. ss. 8, 9, 10. 11 & 12 Vict. c. 43. s. 9. 14 & 15 Vict. c. 100. s. 1.

And no Objection shall be taken or allowed in any Proceedings to the Mode of making any Complaint or issuing any Summons or Warrant, or to any Complaint, Summons, or Warrant, or other Form of Procedure under this Act, for any alleged Defect therein in Substance or in Form, or for any Variance between any Complaint, Summons, or Warrant, and the Evidence adduced on the Part of the Complainant at the Hearing of any Case within the Eighth Part of this Act, or on the preliminary Examination in any Case within the Ninth Part of this Act, in the Name or Description of any Person, Body Politic or Corporate, therein alleged to be the Owner of any Property upon or with respect to which the Offence or Matter of Complaint therein named is alleged to have been committed or to have arisen, or in the Name or Description of any Person, Body Politic or Corporate, therein alleged to be injured or damaged by the Commission of such Offence or by the Matter of Complaint, or in the Christian Name or Surname, or both Christian Name and Surname, or other Description whatsoever, of any Person whomsoever therein named or described, or in the Name or Description of any Matter or Thing whatsoever therein named or described, or in the Ownership of any Property named or described therein; but this Enactment shall be subject to the following Provisions:

If Defect or Variance has misled, Case to be adjourned.

(3.) If any such Variance or Defect shall appear to the Justice to be such that the Defendant or Accused has been thereby deceived or misled, such Justice may adjourn the Hearing of the Case to some future Day, and proceed as directed by Sections Forty-seven, Forty-eight, or Fifty in the respective Cases:

Not necessary to amend any Proceeding.

(4.) It shall not be necessary in any Case to amend the Summons, Warrant, or other Form, but the Justice may direct such Amendment to be made upon the Complaint as may appear to be requisite; and such Amendment shall be authenticated by the Signature or Initials of the Clerk to the Justices:

When Evidence proves some other Offence, &c. than in Complaint, to be dismissed;

(5.) If the Complaint, Summons, or Warrant in any Case within the Eighth Part of this Act shall relate to or describe an Offence or Matter of Complaint within the same Part different from or under some other Act or Section than that to which the Evidence adduced on the Part of the Complainant relates, such Complaint shall (in Cases not otherwise provided for by Paragraph (15) and (16) of Section Seventy of this Act) be dismissed in manner aforesaid, without Prejudice to a further Complaint being made:

but if punishable under another Part of Act, Hearing to be adjourned, &c.

(6.) But if such Evidence upon a Complaint, Summons, or Warrant for an Offence within the Eighth or Ninth Parts of this Act shall prove some other Offence which may by Law be punished under another Part of this Act than that under which the Complaint is made, the Justice may either adjourn the Hearing as before mentioned, or deal with the Case in the ordinary Way, without any further Complaint being made:

If Offence committed in another Jurisdiction, Justice to

(7.) If an Offence or Matter of Complaint within the Eighth Part of this Act shall appear to have been committed or to have arisen out of the Jurisdiction of the Justice, and the Defendant has appeared voluntarily or on a Summons or Recognizance, the Justice shall require him to enter into a Recognizance, with or without Surety or Sureties, to appear before the Justices at the Petty Sessions held for the County or Place where the Offence was committed or Matter arose, at their next Sitting; and the Clerk to the Justices taking the same shall transmit a certified Copy of the Entry of such Recognizance to the Clerk to the Justices of the last-mentioned Petty Sessions; but if the Defendant shall neglect or refuse to enter into such Recognizance or to find such Surety or Sureties, or if he has been apprehended, with or without a Warrant, the Justice shall proceed as directed by Section Sixty-two of this Act in like Cases:

bail Defendant to appear before the proper Justices.

(8.) For the Purposes of the Enactments contained in Paragraphs (5), (6) and (7) of this Section, a Complaint shall be deemed to include a Charge made to a Constable, or at any Station House or Watch House, upon which the Defendant or Accused is apprehended or detained (whether legally or not), and brought before a Justice.

Complaint to include a Charge made to a Constable.

142. The Clerk to the Justices shall, on the Application of any Party to any Proceeding before a Justice, or the Attorney of such Party, furnish to him a certified Copy of any Complaint taken in Writing, Summons, Warrant, or other Proceeding, or (if a Justice shall consent thereto) of any Minutes of the Evidence referred to in Section Sixty-eight of this Act, or of any Depositions in indictable Offences not completed by the Committal or Bailing of the Accused for Trial, whether signed by the Witnesses or Justice taking the same or not, or of any Entry in the "Special Sessions Book," mentioned in Section One hundred and twenty-two, or of any Entry in the "Recognizance Book" mentioned in Section One hundred and thirty, of this Act: Such original Complaint, Summons, Warrant, Proceeding, Minutes, Depositions, or Entry, or such certified Copy thereof respectively, may for any Purpose be received as Evidence in all Courts and before Justices of the Proceedings before the Justices, or of the Matters to which the same shall respectively relate, unless the contrary be shown: Any Attorney or Constable shall be entitled during Office Hours to search the "Register of Decisions" mentioned in Section Sixty-nine of this Act for any Entry of a previous Conviction against any Person then in Custody for some other Offence, and to have delivered to him, on Payment of the proper Fee for the Search and Certificate, a Certificate

Certified Copy of Minutes of Evidence, &c. in certain Cases to be furnished to Parties, and to be Evidence, &c.

(H b) of any Entry of a Conviction made pursuant to the said Sixty-ninth Section.

Act not to extend to certain Cases: Excise, Stamps and Taxes. 14 & 15 Vict. c. 93. s. 42. 11 & 12 Vict. c. 43. s. 35.

143. Nothing in this Act shall extend or be construed to extend to,—

(1.) Any Information or Complaint or other Proceeding under or by virtue of any of the Acts relating to Her Majesty's Revenue of Excise, Stamps or Taxes, except Sections Sixteen, Seventy-six (Paragraph 2), Seventy-eight, Seventy-nine, One hundred and thirty, One hundred and thirty-one, and One hundred and thirty-two:

Customs.

(2.) Any Information or Complaint or other Proceeding under or by virtue of any of the Acts relating to Her Majesty's Revenue of Customs, except Sections Seventy-three, Seventy-four, Seventy-six (Paragraph 2), Seventy-eight, Seventy-nine, Eighty-one, One hundred and twenty-six, One hundred and twenty-eight, One hundred and twenty-nine, One hundred and thirty, One hundred and thirty-one, and One hundred and thirty-two:

Post Office.

(3.) Any Information or Complaint or other Proceeding under or by virtue of any of the Acts relating to the Post Office, except Sections Seventy-six (Paragraph 2), Seventy-eight and Seventy-nine, and such of the Provisions contained in Sections One hundred and Twenty-six, One hundred and Twenty-eight, One hundred and twenty-nine, One hundred and thirty, One hundred and thirty-one, and One hundred and thirty-two, as may be consistent with and be made available to the Purposes of those Acts:

Removal of poor Persons.

(4.) Any Complaint for, or any Warrant or Order for the Removal of any poor Person chargeable to any Parish or Union, except such of the several Provisions in the Fifth, Sixth, Twelfth, and Thirteenth Parts as can be applied:

Lunatics.

(5.) Any Complaint or Order with respect to Lunatics and Insane Persons, or the Expenses incurred for their Lodging, Maintenance, Medicine, Clothing, or Care, except such of the several Provisions in the Fifth, Sixth, Twelfth, and Thirteenth Parts as can be applied:

Bastardy Cases.

(6.) Complaints, Summonses, or Orders in Matters of Bastardy against the putative Father of any Bastard Child, except the several Provisions in the Fifth and Sixth Parts, Sections Sixty-seven, Sixty-eight (Paragraph 1 as regards the Admission of the Truth of the Complaint), Seventy (Paragraphs (1), (7), (10), and 11), Seventy-two, Seventy-five (Paragraph 2), Seventy-eight, Seventy-nine, and Eighty-five, and the Twelfth and Thirteenth Parts:

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(7.) Any Proceedings under the Acts regulating or otherwise relating to the Labour of Children and young Persons in Mills, Factories, and Print, Bleaching, and Dyeing Works, except Sections Sixty-five, Sixty-eight, Sixty-nine, Seventy, Seventy-one, Seventy-three, Seventy-four, Seventy-five, Seventy-six, Seventy-seven, Seventy-eight, Seventy-nine, Eighty-one, and Eighty-two, and the Twelfth and Thirteenth Parts:

Factories, &c.,

(8.) The Provisions of the Acts for the better Care and Reformation of youthful Offenders, and the "Industrial Schools Act, 1861," so far as relate to the sending of any youthful Offender or Child to a Reformatory or Industrial School;

Reformatory and Industrial Schools.

Provided always, that all the Procedings in the said several excepted Cases (except those referred to in Paragraph (4)) may be either in the Forms of Procedure in the Second Schedule hereto, or as near thereto as the Circumstances of the Case will admit, or in any Special Forms provided by the Act or Acts under which the Complaint is made: Provided also, that all the Provisions of the First, Second (except as mentioned at the Foot of the First Schedule, in respect to the Cases referred to in Paragraph (2)), and Seventh Parts of this Act, and Sections One hundred and thirty-five, One hundred and thirty-seven, One hundred and thirty-eight, One hundred and thirty-nine, One hundred and forty, and One hundred and forty-two, shall apply also to all the said excepted Cases where such Provisions shall not be repugnant to or inconsistent with any Provision herein or in any Act or Acts relating to any such excepted Cases.

Proviso as to Applicability of Forms, &c.

144. The Home Office shall from Time to Time make a Table of the Fees and Allowances which should be paid in respect of the Service of Summonses, the Execution of Warrants, and the Conveyance of Prisoners to Gaol, and into other Counties or Places, by Constables and other Persons, and from Time to Time may alter such Table; and when such Table or altered Table shall be made, the Home Office shall send Copies thereof to the several Clerks of the Peace, to be by them distributed to the several Chief Constables or other Head Constables of Counties or Places, and the Clerks to the Justices; but no Constable (except a Parish Constable) shall receive to his own Use any such Fees or Allowances; and when he shall receive any such Fees or Allowances, he shall account

Home Office to make Table of Fees for Service of Summons, &c. by Constables.
5 & 6 Vict. c. 109. s. 17.
2 & 3 Vict. c. 93. s. 18.
3 & 4 Vict. c. 88. s. 17.
22 & 23 Vict. c. 32. s. 28.

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account and pay over the same to the Chief or Superintendent of the Police Force to which he belongs, in manner directed by the Regulations of such Force, and be liable in default to the same Proceeding as is provided by Section Thirty-one of this Act with respect to Clerk to Justices failing to account: And any such Fees and Allowances, when due and payable from any Party instituting any Proceeding before Justices, shall be recoverable from such Party or be remitted in the same way as the Fees due to Clerks to Justices are by Sections Thirty-six and Thirty-seven of this Act recoverable or may be remitted: Provided always, that until such Table shall be so made such Fees and Allowances as are now by Law payable in respect of the Matters above mentioned may be received.

May be recovered from Parrties before Justices.

Chief Magistrate of Bow Street to be a Justice for Berks without Qualification.
11 & 12 Vict. c. 42. s.31.

145. The Chief Magistrate of the Metropolitan Police Court at Bow Street for the Time being shall be a Justice of the Peace of and for the County of Berks, if his Name be inserted in the Commission of the Peace for that County, without possessing the Qualification by Estate required by Law in that Behalf, and without taking any Oath of Qualification.

Forgery of Entries in Books, &c. under this Act.
24 & 25 Vict. c. 98. s. 32.

146. Section Thirty-two of the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Ninety-eight, shall extend to the forging, altering, offering, uttering, disposing of, or putting off of any Entry or Document required by this Act to be made, signed, or issued by a Justice or Clerk to Justices, or any Seal or the Impression of any Seal authorized to be used upon any Document, as well as to the several Documents mentioned in the said Section, and whether the last-mentioned Documents shall purport to be signed by a Justice or Clerk to Justices as hereby authorized.

Appointments and Receipts exempt from Stamp Duty.
11 & 12 Vict. c. 43. s. 31.
14 & 15 Vict. c. 93. s. 40.
14 & 15 Vict. c. 90. s. 12.

147. No Appointment made by Justices under this or any other Act, and no Receipt for Money given by any Treasurer, Clerk to Justices, Gaoler, Constable, or other Person under this Act, shall be subject to any Stamp Duty.

Schedules Part of Act.

148. The Schedules to this Act shall be deemed Part of this Act.

SCHEDULES.

FIRST SCHEDULE.

TABLE OF FEES TO BE TAKEN BY CLERKS TO JUSTICES.

Section 26.

	£	s.	d.
1. Allowance:—Each Allowance or Disallowance of Accounts, Rates, Assessments, Lists, or Apprentice Indentures, for which no other Fee is herein provided - - -	0	2	0
2. Appeals.—*See* "Recognizance;" "Certificate;" "Notice."			
Against Rates:—Entering Appeal - - - -	0	1	0
Hearing - - - - - -	0	2	0
Examination of each Witness, including Oath - -	0	1	0
Order thereon in Duplicate - - - -	0	4	0
Amending Rate, each Person - - - -	0	2	0
Taxing Costs, including Appointment and Allocatur -	0	6	8
To a Superior Court.—*See* "Recognizance."			
Drawing Case and Copy, where the Case does not exceed Five Folios - - - - -	0	10	0
Where the Case exceeds Five Folios, then for every additional Folio - - - - -	0	1	0
Attendances and Correspondence settling Case and procuring Justices' Signatures thereto - - -	0	6	8
Certificate of Refusal of Case - - -	0	2	0
3. Appointment.—*See* "Constables."			
Nomination of Valuer, Surveyor, Arbitrator, &c. under the Acts as to Railways and other Public Works - -	0	10	0
Of Overseers or other Parochial Officers (except Constables) to contain the Names of all the Persons appointed at the same Time for the same Parish - - -	0	5	0
Of Select Vestry, and Oath - - - -	0	2	6
Certificate of Appointment to each Person appointed -	0	0	6
Of Special Constables, if Twenty-eight or less, for each Person (to include Information, Notice, or Summons, Oath and Certificate) - - - - -	0	1	6
If more than Twenty-eight are appointed on One Occasion, for attending to summon, swear in, and make out the Appointments when necessary, for each Day - -	2	2	0
For preparing and making a List of Persons liable to serve as Special Constables in Boroughs, each Year - -	2	2	0
(N.B.—The last Three Items in Boroughs to be paid out of the Borough Fund.)			

	£	s.	d.
For the Performance of all Duties required by the Acts relating to the Appointment of and swearing-in of Parish Constables, each Parish	*0*	*7*	*6*
If more than One appointed for any Parish, for each additional Constable	*0*	*2*	*0*
Every other Appointment or Nomination	*0*	*5*	*0*
4. Attendance.			
Every special Attendance on a Justice at any other Place than the Place of holding Petty Sessions, or upon any other than the usual Days of holding thereof, to view and affix Notice on deserted Premises, or to give Posssession thereof, to view a Highway, Bridge, or Nuisance, or to take an Examination or Deposition, or on a preliminary Examination in Indictable Offences	*0*	*6*	*8*
If required to go more than One Mile from the Place of holding Petty Sessions or from the Clerk's Office	*0*	*13*	*4*
And for each Mile after the Second	*0*	*1*	*0*
5. Certificate.—*See* "Order."			
Authenticating Copy of Entry of previous Conviction or otherwise from "Register of Decisions"	*0*	*2*	*6*
Of Condition of Recognizance not being complied with	*0*	*1*	*0*
Of Justices Consent to bail in indictable Offences	*0*	*1*	*0*
Of Correctness of Copy of Examinations, Minutes, Notes, or other Documents	*0*	*1*	*0*
6. Certiorari:—Preparing Return to Writ, and Attendance and filing	*0*	*13*	*4*
7. Commitment.—*See* "Warrant."			
8. Complaint:—Entering Complaint in "Complaint Book," or taking same separately in Writing, exclusive of Oath	*0*	*1*	*6*
(N.B. In all Cases to include the several Defendants where several join in the Commission of an Offence.)			
9. Conviction.—*See* "Entries;" "Indictable Offences;" "Summary Jurisdiction."			
When required under Revenue or other Acts to be a separate Document	*0*	*3*	*6*
10. Copy. *See* "Duplicate."			
Of Orders and Rules of Poor Law Commissioners, per Folio	*0*	*0*	*3*
For allowing any Copy thereof to be taken, per Folio	*0*	*0*	*1½*
Of Depositions and Statement for Accused in indictable Offences, per Folio	*0*	*0*	*1½*
The like for Prosecution, per Folio	*0*	*0*	*4*
Of Minutes of Proceedings or of any other Document, per Folio	*0*	*0*	*6*
(N.B.—No Charge to be made for Inspection or Search of less than a Year old, when Copy is paid for.)			
11. Depositions.—*See* "Indictable Offences;" "Summary Jurisdiction."			
12. Duplicate (when requisite):—One Half of the Fee for the original Document (except where otherwise charged).			

	£	s.	d.
13. Entries:—Entering every Recognizance in "Recognizance Book," each Case	0	2	0
Entering any Enlargement of any Recognizance or making any Entry in such Book in relation to any Recognizance	0	1	0
Entering Terms of every Adjudication or Decision in "Register of Decisions," each Case (whether One or more Defendants are adjudicated upon at the same Time and in the same Terms as to Penalty or Punishment) including Copy of Entry for and transmitting same to Clerk of the Peace	0	3	0
If One or more Defendants be sentenced to a different Punishment or Penalty, then in respect of the addition to the Entry necessary, the further Sum of	0	1	0
14. Exhibit:—Of each Document given in Evidence, and read, or annexed to any Affidavit or Declaration, and marked	0	1	0
15. Fees and Fines:—Receiving, accounting for, and paying over (to be deducted from Amount), at the Rate, for every 20*s.*	0	1	0
Each Return of Copy of Account for Quarter Sessions	0	5	0
16. Forcible Entry.—*See* "Summary Jurisdiction."			
Record of forcible Entry	0	4	0
Warrant to give Possession	0	3	0
17. Hearing (other than in "Indictable Offences" and "Rates"):—Hearing and Entry of Minute of Proceedings, and Result, where no Conviction, Order, or Adjudication is made	0	1	0
18. Indictable Offences.—*See* "Complaint;" "Summons;" "Warrant."			
Committals for Trial:—			
For the performance of the several Duties in each Case in relation to the Hearing and Commitment, without regard to the Number of Prisoners, included in the same Charge	0	15	0
Summary Jurisdiction—For the Performance of the several Duties in Cases decided under Part X. of this Act, in each Case, whatever the Number of Offenders charged or adjudicated upon or convicted at the same Time of the same Offence, may be (including the transmitting of the Conviction to the Clerk of the Peace but excluding a Fee of 4*s.* to him for filing it)	0	14	0
19. Information.—*See* "Complaint."			
20. Jurors:—Allowance of List of Jurors, including Oath, each Parish	0	4	0
Returning Lists to Clerks of the Peace (25 & 26 Vict. c. 107. s. 9.) exclusive of Postage and Fee for registering Letter	0	2	6
21. Landlord and Tenant.—*See* "Warrant"; "Summary Jurisdiction"; "Attendance."			
Information for obtaining Possession of deserted Premises, including Oath	0	4	0
Notice and Duplicate	0	3	0
Record of Proceedings in giving Possession	0	7	6

	£	s.	d.
22. Licence.—For an Alehouse, or Transfer Licence, or for Billiards, or for Fireworks or Gunpowder - -	*0*	*6*	*6*
Certified Copy of Alehouse Licence, or Endorsement by Petty Sessions - - - - -	*0*	*2*	*6*
For Theatres (for each Calendar Month in force), or to deal in Game, or for Slaughterhouses or Cowhouses, in the Metropolis, or any other Licence - - -	*0*	*5*	*0*
23. Notice.—*See* "Miscellaneous Fees."			
24. Oath.—*See* "Indictable Offences"; "Summary Jurisdiction."			
Every Oath, Affirmation, or solemn Declaration not otherwise specified (*see* "Exhibit") - - -	*0*	*1*	*0*
Certificate thereof, when required - - -	*0*	*1*	*0*
For preparing Affidavit or statutory Declaration (including the Fee for Oath, &c.) when not exceeding six folios -	*0*	*5*	*0*
For every Folio after the first Six (extra) - -	*0*	*0*	*6*
25. Order.—*See* "Miscellaneous Fees."			
Order or Certificate relating to a Highway, Bridge, or Nuisance, or for protecting separate Property of a married Woman, or adjudging Settlement of a Lunatic, or for Expenses - - - -	*0*	*5*	*0*
Every Bastardy or other Order, Adjudication, Award, or Certificate, not otherwise charged, when required by this Act or by any Party to be drawn up separately -	*0*	*2*	*0*
If any Order other than last mentioned (except a Bastardy Order) exceeds Six Folios, then for each additional Folio of the Original - - - - -	*0*	*0*	*6*
26. Poor.—*See* "Attendance;" "Appointment;" "Complaint."			
Settlement:—Examination of Pauper or Witnesses, including Oath, each Person - - - -	*0*	*2*	*0*
Report to Two Justices in case of Pauper's Sickness -	*0*	*1*	*0*
Order of Removal in Triplicate - - -	*0*	*5*	*0*
Suspension of Order and Counterpart, or removing Suspension - - - - -	*0*	*2*	*0*
Examination of Irish or Scotch Pauper's Warrant for Removal, and Duplicate or Copy, and Copy Examination	*0*	*6*	*0*
27. Rates.—*See* "Appeals;" "Warrant."			
Complaint for Nonpayment of any Local Rate or Rates or Taxes (to include the Names of all the Defaulters); Summons to each in Duplicate or Copy; Hearing, with Oaths and Adjudication; for all of which, in respect of each Defaulter, there shall be taken the Sum of - -	*0*	*2*	*6*
If paid before hearing, then only - - -	*0*	*2*	*0*
Warrant of Distress upon such Complaint (to include all the Defaulters adjudicated upon at the same Time, if not exceeding Six, and apportioned amongst the Defaulters)	*0*	*3*	*0*
If exceeding Six, for each additional Name - -	*0*	*0*	*6*

28. Recognizance.

	£	s.	d.
28. Recognizance.—*See* "Entries;" Order."			
On Appeal to Quarter Sessions against Decisions of Justices	*0*	*2*	*6*
Every Recognizance of Accused and his Sureties, or other Recognizance or Bond required by Statute, where drawn up separately	*0*	*2*	*6*
Notice of any Recognizance to each Person bound	*0*	*0*	*6*
29. Registering.—*See* "Entries."			
Person to keep Common Lodging House, or Authority to kill Hares, or Revocation thereof	*0*	*2*	*6*
30. Return:—To the Secretary of State as to Highways, each Parish	*0*	*2*	*0*
31. Search.—*See* "Entries."			
Every Search in the "Register of Decisions" when a Copy or Certificate of Entry not paid for	*0*	*1*	*0*
When the same shall extend over a Year, each Year (whether Copy or Certificate of Entry paid for or not)	*0*	*1*	*0*
32. Summary Jurisdiction.—*See* "Warrant;" "Entries;" "Oath."			
Every Examination or Deposition or Minute of Evidence when taken, including Oath	*0*	*1*	*6*
Adjournment of Hearing	*0*	*1*	*0*
Hearing and Adjudication	*0*	*1*	*0*
Minute of Order or Adjudication and Copy for Service, when Service necessary	*0*	*1*	*6*
(N.B.—Any of these Fees, when applicable to more than One Defendant in the same Case, should be apportioned when adjudicating the Costs against each.)			
33. Summons:—Summons to a Defendant, Accused, Witness, or other Person (where joint Offenders, One Duplicate thereof only to be kept and charged for)	*0*	*1*	*6*
Affidavit of Service of Summons, or of any Order or Minute of Order or Adjudication when necessary, including Oath	*0*	*2*	*0*
34. Transmission of Documents:—Transmitting Summons, Order, or Minute of Order, with Form of Affidavit, to another District, or to the Superintendent of the District where issued, to be served, or a Warrant to be executed	*0*	*2*	*0*
35. Warrant:—To apprehend, remand, or detain a Person, or search Premises	*0*	*1*	*6*
To commit any Party, Witness, or other Person, or to distrain any Goods after Conviction or Adjudication (to be separate for each Person, unless otherwise directed by this Act)	*0*	*2*	*0*
To provide Carriages under the Mutiny Acts	*0*	*1*	*0*
Every other Warrant	*0*	*3*	*0*

36. Miscellaneous Fees—to be taken in all Cases where no similar Fees are expressly named under the foregoing Headings, and in all Cases not herein specially provided for:—	£	s.	d.
Every Notice	0	1	0
Drawing any Rules or Regulations required by Statute to be made by Justices, per Folio	0	1	0
Every Information, Complaint, Application, or Consent, including Oath	0	2	6
Return to Distress Warrant, including Oath	0	1	0
Backing a Scotch or Irish Warrant, including Oath	0	1	0
Liberate or Discharge	0	1	6
Any other Document, signed by One Justice or more, each Justice's Signature	0	1	0

REGULATIONS.

The following Regulations must be observed:

1. This Table does not include the Fees payable under the Statutes relating to the Duties of Customs, nor those in the Scale made by the Home Office pursuant to 25 & 26 Vict. c. 63. s. 49. para. 7; but it relates to all other Matters and to Cases to which the Act does not wholly extend.

2. Nothing herein contained is to authorize the taking of any Fee contrary to the Provisions of any Statute hereafter to be passed.

3. These Fees to include Cost of Parchment where any Document is required to be or is usually written on Parchment.

4. Where the Fee is at per Folio, such Folio is to contain 72 Words, or any fractional Part thereof above.

5. No Fee to be charged, except for Documents actually prepared; but when prepared, whether by the Clerk or brought for Signature, it will be payable.

6. All Documents, except where otherwise stated, to contain the Names of all the Defendants or Parties accused upon the same Charge or Offence without extra Fee.

7. No Fee to be taken for re-swearing or re-examining any Person to a previous Deposition or Examination, or for any rehearing (unless additional Evidence be taken in Writing), or for reading over Depositions or Evidence previously taken, or for any Oath, Affirmation, or Declaration to obtain Pay, Pension, or Allowance from Government, or Friendly Society, Savings Bank, or Charitable Fund.

SECOND SCHEDULE.

FORMS TO BE USED BY JUSTICES AND OTHERS.

Section 140.

(A.) *Fees and Penalties Book.*

Section 30.

Number in "Register of Decisions."	Date of Hearing or Receipt.	Parties in the Case.	Offence or Matter.	Receipts.					Payments and Application of Penalties, &c.	Reasons for Nonpayment of Fees or Penalties, or Remarks.
				For Justices Clerks Fees.	Fines, &c.					
					For County, &c. Rate.	For Superannuation Fund.	For other Parties.	For Constables Fees.		
				£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*		

(B a.) *Complaint Book.*

Section 42, para 3.

No.	Date of Complaint and Summons.	Complainant's Name, Address, &c., and Signature.	Defendant's Name, Address, &c.	Offence or Matter of Complaint, Date, Place, and Statute.	Process issued.	By whom issued and Signature.	When Summons returnable.	Officer serving Process.	Remarks or Number in "Register of Decisions."
A 1.*									

* In the Second Year the Cases will be numbered B 1. to the End of that Year.

(B b.) *Complaint taken separately.*

Section 42, para. 4.

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of

The Complaint of *C.D.* of taken this Day of 186 at in the said County, who [on his Oath] saith that *A.B.*, [*stating Facts known to the Complainant, from which the Justice may judge of the Character of the Offence committed, or otherwise the Offence with Matter of Complaint, with Time and Place, concluding with a Reference to the Statute, as*] contrary to the Statute Vict. Cap. Sect. , [*or, if for Rates,* that *A.B.* neglects and refuses to pay the Sum of £ assessed upon him in the Poor [*or as it may be*] Rate made on *or* Sums mentioned in the Schedule hereunder written, due from *A.B.* and the several Persons therein mentioned]; *adding for the Arrest of a Witness,* and he further saith that *E.F.* can give material Evidence, but is not likely to attend voluntarily, [*or* and is keeping out of the way of personal Service of Summons;] [*or for Sureties for the Peace,* and he makes this Complaint for the Safety of his Person and Property, and not from Malice or Revenge against the said *A.B.*]

Before me,
J.S., Justice of the said County.
[*Or*, This Complaint was made to me,
W.M., Clerk to the Justices.] } *C.D.*

In case of the Complaint being for several Rates; or against several Persons, where the same Persons can be Complainant, add the following:—

Schedule.

Names of the Ratepayers.	Residence.	Poor Rates dated		Highway Rate dated —— 1864.	Church Rate dated —— 1864.	Total Sum due.
		—— 1863.	—— 1864.			
		£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

(C.) *Summons to Defendant or Witness or Accused.*

Section 42, para. 3; or Sect. 46.

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of
To [*A.B. or E.F.*] of

Whereas a Complaint has been duly made that [*stating shortly the Offence or Matter of Complaint, with Time and Place*], contrary to the Statute Vict. Cap. Sect. [*or, if for Rates,* that you have neglected to pay the Sum of £ for Poor Rate (*or other Rate*) made on the Day of 186 , *or* the Sums mentioned in the Schedule hereto, for the Rates therein mentioned, *placing a like Schedule as in Form* (*B a.*) *at Foot.*]

This is to command you to appear as a Defendant [*or* Accused *or* Witness] on the Hearing of the said Complaint, at on the Day of 186 , at o'Clock, before such Justices as shall be there.

[*If to produce Documents, &c.,* "And you are also commanded to produce at the same Time and Place the following Documents, viz. (*describing shortly the Documents, Articles, or Property*)].

Dated this Day of 186 .

J.S., Justice of the said County.
[*Or, W.M.*, Clerk to the Justices of said Division.

N.B.—If you do not appear, a Justice is empowered to grant a Warrant to arrest you.

(D.) *Warrant to apprehend any Party or Witness.*

Sects. 43-46.

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of

To the Constables of the Police Force for the County of and to all other Peace Officers of the said County.

Whereas a Complaint has been made on Oath and in Writing that [*stating shortly the Offence or Matter of Complaint, with Time and Place*] contrary to the Statute, *&c.*

[*If the Case be so, add for Defendant,* And whereas the said *A.B.* has neglected to appear in obedience to a Summons.]

[*For Witness,* Whereas Oath has been made that *E.F.* can give material Evidence, but will not attend voluntarily, *or* is purposely keeping out of the way of personal Service of a Summons, *or* has not appeared in obedience to the Summons.]

[*If after Indictment:* Whereas it has been certified to me that (*state as in Certificate of Clerk of Indictments or Peace*).]

[*For Accused surrendered by his Bail:* Whereas *L.M.*, One of the Sureties of *A.B.*, accused of (Felony), has complained on Oath to me, that the said Accused is about to abscond for the Purpose of evading Justice.]

This is to command you, the said Constables, to arrest the said *A.B.* [*or* *E.F.*], and to bring him before me or some other Justice of the County to answer to the said Complaint.

Given under my Hand and Seal this Day of 186
at in the said County.

J.S., Justice of said County. (L.S.)

(E.) *Commitment of a refractory Witness.*

Section 46, 89.

C.D., Complainant, *A.B.*, Defendant *or* Accused. } Sessional Division of County of

To the Constables of and to the Keeper of the Gaol at

Whereas a Complaint was made on the Day of 186 on the Oath of *C.D.*, that [*stating shortly the Offence or Matter of Complaint with Time and Place*] contrary to the Statute Cap. Sect. :* And whereas *E.F.* of, *&c.* [*Residence and Occupation*], a material Witness, has, without just Excuse, refused to make Oath as a Witness [*or* to answer certain Questions, *or* to enter into Recognizance to give Evidence on the Remand Day, *or* on the Trial of the said *C.D.*] in that Behalf.

This is to command you, the said Constables and Keeper, to take and lodge the said *E.F.* in the Gaol at there to be imprisoned by you the said Keeper until the Trial of the said *A.B.*, unless he shall in the meantime enter into such Recognizance as required [*or* until the Day of 186 , unless he shall in the meantime consent to answer as required.]

Given under my Hand and Seal this Day of 186
at in the said County.

J.S., Justice of said County. (L.S.)

(F.) *Commitment of Party on Remand or Adjournment.*

Section 50.

*Proceed as in (E) to the Asterisk *, and then:* And whereas the Hearing of the said Complaint has been adjourned to [*or if Defendant arrested,* And whereas the said Defendant *or* Accused has been brought before me under a Warrant, and the said Complaint is to be heard on] the Day of at :

This is to command you, the said Constables and Keeper, to take and lodge the said Defendant [*or* Accused] in the Gaol at there to be imprisoned by the Keeper of the said Gaol until the above Time of Adjournment [*or* Hearing], when he shall have him at the above Time and Place.

Given, *&c.* [*as* (E).]

(G.) *Register of Decisions.*

Section 69.

County of Sessional Division of

Number in Complaint Book.	Date of Adjudication.	Parties.			Offence or Cause of Complaint and Statute.	Names of Justices adjudicating.	Terms of Adjudication.			Signature of Justice or Clerk.	Justice enforcing Adjudication, or whether Sum paid.	Remarks.
		Complainant's Name, Residence, &c.	Defendants' Name, Residence, &c.				Of Penalty or other Sum, and how awarded.	Imprisonment, &c.	Dismissal or other special Adjudication.			
A 1.				Age.								

Section 69.

(H a.) *Certificate or Minute of Adjudication of Justices in Civil Cases or of Dismissal.*

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of

I certify that on the Day of at upon the Hearing of a Complaint that [*stating Matter of Complaint, with Time and Place*] contrary to the Statute, *&c.*, the Justices present made an Adjudication against the said Defendant to the following Effect, viz., to pay for the Sum of and for Costs the Sum of forthwith [*or* in Days], and in addition, *or* and in default of Payment [*or* Distress] to be imprisoned for the Period of with [*or* without] Hard Labour, unless the said Sums be sooner paid.

[*Dismissal*, that the said Complaint be dismissed on the Merits, *or* without Prejudice, and that he do pay the Sum of to the Defendant for Costs.]

Dated this Day of 186 .

J.S., Justice of the said County,
[*Or W.M.*, Clerk to Justices of said Division.]

Sections 69, 142.

(H b.) *Certificate authenticating Entry of Conviction in Register of Decisions.*

[*Exact Copy of Entry here.*]

I certify that the above is a true Copy of the Entry in the "Register of Decisions" for the Sessional Division of now in my Custody.
Dated this Day of 186 .

W. M., Clerk to the Justices.
[*or H. R. E.*, Clerk of the Peace.]

Section 70.

(I.) *Distress Warrant for Penalty, Sum, Costs, or forfeited Recognizance.*

C. D., Complainant, } Sessional Division of
A. B., Defendant. } County of

To the Constables of

Whereas this Day [*or* on the Day of] at the Defendant being then convicted for that [*stating shortly the Offence*] [*or* upon the Hearing of the Complaint in this Behalf, that, *stating the Matter of the*

the Complaint,] contrary to the Statute, *&c.*, the Justices present adjudged that

[*Penalty or for a Sum* :—The Defendant do pay a Penalty of [*or* the Sum of to the Complainant, [and the Sum of for Costs forthwith, *or* on the Day of [*if by Instalments, say so*].

[*Costs on Dismissal* :—That the said Complaint be dismissed on the Merits *or* without Prejudice; and that the Complainant do pay to the Defendant the Sum of for Costs forthwith, *or* on the Day of :]

[*Amount of Recognizance estreated* :—Whereas on, *&c.*, at the Justices present adjudged that the Sum of the Amount of a certain forfeited Recognizance of the [Defendant] for his Appearance at be paid by him forthwith :]

And that in default of Payment the said Sum [or Sums] be levied by Distress and Sale of the Goods of the Defendant [*or* Complainant]:

[*For Costs of Appeal* :—And whereas the said Adjudication being appealed against, the Court of Appeal decided on the Day of that, *&c.*, and that the should pay to the the Sum of for Costs].

* And whereas the said Sum has [*or* Sums have] not been paid:

This is to command you, the said Constables, to levy the said Sum [*or* Sums], and also the Costs of the said Distress, by Distress and Sale of the Goods of the , and to pay the Sum levied to *W. M.*, the Clerk to the Justices of this Division; and if this Warrant be not executed in Days to return it to the said Clerk.

Given, *&c.* [*as in (E.)*]

(I a.) *Distress Warrant for One or several Rates.*

Overseers [*or*] of Complainants, } Sessional Division of
A. B. and others Defendants. } County of

To the Constables of and to the Overseers of .

Whereas this Day [*or* on the Day of], upon the hearing of the Complaint of the said Overseers [*or as the Case may be*] that *A. B.* [and the several other Persons] in the Schedule hereto had neglected and refused to pay the several Sums duly assessed upon them in the Rates mentioned and set opposite their Names in the said Schedule; and the said *A. B.* [and the said other Persons] not showing to the Justices then present any sufficient Cause for not paying the same, they adjudged the same to be levied by Distress: And whereas the said Sums have not been paid: This is to command you the said Constables to levy the Sum mentioned in the "Total" Column of the Schedule hereto, and therein set opposite to the Name of the said *A. B.* [and the said other Persons], (such Sum respectively being for the Amount of the Rates due, and the Costs incurred in their Recovery,) and the Costs of the Distress, by Distress and Sale of their respective Goods, and to pay the Sum levied to *C. D.*, the Complainant; and if this Warrant be not executed in Days, to return it to *W. M.*, the Clerk to the Justices of this Division.

Schedule.

Names of Ratepayers.	Residence.	Poor Rates, dated		Highway Rate, dated —— 1864.	Church Rate, dated —— 1864.	Cost of Summons, &c.	Total.
		1863.	1864.				
		£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*

Given, &c. [*as* (E).]

(J.) *Commitment to Gaol in any Summary Case.*

Sections 71, 75.

Proceed as in (I.) to the Asterisk, in either of the Cases there applicable, and then :*—And in default of Payment [*or* Distress, *if a Warrant of Distress issued,*] the said   to be imprisoned for the Period of   with [*or* without] Hard Labour, *if so,* unless the said Sums be sooner paid.

[*Where a Distress Warrant issued :*—And whereas the Defendant has, *or* admits he has, *or* it has been returned to a Warrant of Distress that he has no Goods, *or* that a Distress would be ruinous to him *or* to his Family] :

And whereas the said Sums have not been paid :

[*Where Imprisonment only adjudged, say after stating the Offence,* the Justice then present adjudged that the Defendant be imprisoned for the Period of   with *or* without Hard Labour ; and that he do forthwith pay to the Complainant the Sum of   for Costs, and in default thereof to be imprisoned for the further Period of   unless the said Sum shall be sooner paid ; and which Sum has not been paid :] This is to command you, the said Constables and Keeper, to take and lodge the said   in the Gaol at   to be imprisoned there for the Period of   with [*or* without] Hard Labour ; *if so, add,* unless the said Sums be sooner paid [and for the further Period of   unless the said Sum for Costs shall be sooner paid :]

[*If cumulative Imprisonment is ordered in Offence Cases, add,* the said Period to commence from the Expiration of a certain other Term of Imprisonment to which the Defendant [already in your Custody, *if so*] has been previously duly adjudged and sentenced :]

[*Where Conviction, &c. confirmed on Appeal, say,* And whereas the Conviction or Adjudication, having been appealed against, has been duly confirmed :]

[*If Costs of taking to Prison added, say,* and I direct the Defendant to pay the Sum of   the Costs and Charges of this Commitment, and of conveying him to Gaol, in addition to the Sums before mentioned.]

Given, *&c.* [*as* (*E.*) :]

[*N.B. If the Commitment be on a second or subsequent Conviction, insert after the Description of the Offence, and the Words* " contrary to the Statute," *&c., the following :* " (the same being the Second Offence of the Defendant of the same Nature against the said Statute, he having been previously convicted thereof.)"]

(J a.) *Com-*

(J a.) *Commitment for Nonpayment of Rates.*

Sessional Division of County of

To the Constables of and the Keeper of the Gaol at

Whereas on the Day of at , upon the hearing of a Complaint against *A.B.* of that he had neglected and refused to pay the Sums duly assessed upon him in the Rates mentioned in the Schedule hereto; and the said *A.B.* not showing to the Justices then present any sufficient Cause for not paying the same, they adjudged the same to be levied by Distress: And whereas it has been returned to a Warrant of Distress that the said *A.B.* has no Goods: This is to command you [*conclude as in* (*J*), *and adding a similar Schedule as in the Distress Warrant* (*I a*).]

(K.) *Commitment for Contempt of Court.*

Section 58.

Sessional Divisional of County of

To the Constables of and to the Keeper of

Whereas *A.B.* of (herein-after called "Defendant") is this Day convicted before me, the undersigned Justice for the said County, sitting in Public Court at the usual Place of holding Petty Sessions for the said Division, of having this Day unlawfully and wilfully insulted me while so sitting [*or* unlawfully committed a certain Contempt of the said Court, *or, as the Case may be*]; and I have, pursuant to Section 58 of "The Justices Procedure Act for England, 1865," adjudged the Defendant for his said Offence to pay a Fine of and in default of Payment to be imprisoned for Days: [And whereas the said Sum has not been paid]: This is to command (*&c. conclude as in* (*J*).)

(L.) *Form of Appeal, or Certificate of Conviction or other Adjudication when appealed against, and of Notice and Recognizance.*

Section 77.

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of

I certify that on the Day of at the Defendant being then convicted of the following Offence, viz., (*setting it out, with Time and Place*), [*or*, that on, *&c.* at upon the hearing of the Complaint, that (*stating it, with Time and Place*)], contrary to the Statute Vict. Cap. Sect. the Justices present adjudged that [*setting forth the Terms of the Adjudication as in the "Register of Decisions," or as in a Distress Warrant or Commitment* (*I*) *or* (*J*).]

Dated this Day of 186 .

W.M., Clerk to the Justices of said Division.

The Person against whom the said Decision was made hereby appeals against the same to the next Court of Quarter Session to be held at .

Dated this Day of 186

A.B., Appellant.

Certificate of Clerk to Justices.

I certify, that Notice of said Appeal was duly given to me, and that the said Appellant has duly entered into a Recognizance in the Sum of £ , with Two Sureties in the Sum of £ each, to prosecute said Appeal [*or* has entered into a Recognizance in the Sum of £ and has deposited the Sum of in lieu of Sureties conditional on his prosecuting said Appeal]. [*If so,* and that *C.D.* has been bound by Recognizance in the Sum of £ to appear and defend the said Appeal.]

Dated this Day of 186 .

W.M., Clerk to the Justices.

Certificate of Clerk of the Peace.

I certify that* upon the hearing of said Appeal on the Day of 186 , the Court of Quarter Sessions ordered that [*state Order*], and that the [Appellant] should pay the [Respondent] the Sum of for Costs, [*or, from the Asterisk**, the Appellant has not duly prosecuted the said Appeal to the Court of Quarter Seesions held on the Day of .]

Dated this Day of 186 .

H. R.E., Clerk of the Peace.

Section 78.

(M a.) *Heads of Case stated by Justices for Superior Court.*

A. B., Appellant, } Sessional Division of
C. D., Respondent. } County of
In the [Queen's Bench].

This is a Case stated by us, the undersigned Justices for the said County, under the 75th Section of "The Justices Procedure Act for England, 1865," pursuant to a Rule of the said Court of [*or* on the Application of the Appellant, who was dissatisfied with our Decision,] on the Question of Law which arose before us as herein-after stated, on the Day of 186 the Appellant having duly entered into a Recognizance to prosecute the Appeal.

Upon the hearing of a Complaint made by the Respondent against the Appellant, that [*setting out the Offence or Matter of Complaint*] we adjudged, &c. [*here state the Terms of the Adjudication as in the Forms* (*I.*) *or* (*J.*)]: It was proved on the Part of the Respondent, &c.: It was contended on the Part of the Appellant, &c. [*setting forth the Facts and Evidence, Objections to the Admission or Rejection of Evidence, and the Opinion of the Justices thereon*].

The Questions of Law arising on the above Statement for the Opinion of this Court, therefore, are: 1st, Whether, &c.; 2nd, Whether, &c.

Witness our Hands this Day of 186

[*Signatures of Justices.*]

Section 78, para. 4.

(M b.) *Justices' Certificate of Refusal to state a Case.*

C. D., Complainant, } Sessional Division of
against }
A. B., Defendant. } County of

I certify that the [Defendant] having applied to me to state a Case for the Opinion of the Court of [Queen's Bench] upon my Decision on this Complaint heard on the Day of 186 , I have refused to state such Case, being of opinion that the Application of the [Defendant] is merely frivolous.

Dated this Day of 186 .

J. S., Justice for said County.

(M c.) *Cer-*

(M c.) *Certificate of Officer of Superior Court of Order made on Appeal.*

Section 78, para. 10.

A.B., Appellant, } Court of [Queen's Bench]
C.D., Respondent. } Day of 186

I certify to the Clerk to the Justices of the Sessional Division of * that upon the hearing of the said Appeal the Court did this Day reverse [*or* confirm] the Decision of the Justices in this Case, and ordered that the [Respondent] should pay to the [Appellant] the Sum of for Costs. [*Or from the Asterisk* *, that the Appellant has not duly prosecuted his Appeal to the said Court.]

L.M. [*Description of Office*] of the said Court of [Q.B.]

(N a.) *Depositions of Witnesses.*

Section 88.

C.D., Prosecutor, } Sessional Division of
A.B., Accused. } County of

The Depositions of *C.*, *D.*, *E.*, *F.*, *&c.*, taken on the day of 186 at , before the undersigned Justice of the said County, in the Presence and Hearing of *A.B.*, who stands charged for that [*stating shortly the Offence, with Time and Place*], contrary to the Statute, *or* against the Peace, *&c.*

The said Deponent *C.D.*, on his [Oath] saith:—I am a and reside at, *&c.* [*stating his Evidence, as near as possible, in the Words of the Witness, and when completed to be signed by him if he will*]. [*Proceed with each Witness in the same Manner.*]

[The Cross-examination should be distinguished as "Cross-examined by the Prisoner *or* the Prisoner's Attorney."]

The above Depositions of *C.*, *D.*, *E.*, *F.*, *&c.*, (paged 1 to 10) were duly taken before me on the Day and at the Place mentioned in the Caption.

J.S., Justice.

(N b.) *Statement of the Accused.*

Section 88, para. 4.

C.D., Prosecutor, } Sessional Division of
A.B., Accused. } County of

A.B. stands charged this Day of 186 before the undersigned Justice, with the Offence set out in the Caption of the Depositions hereto annexed; and the said Charge having been read to the said *A.B.*, and the Witnesses for the Prosecution having been severally examined in his Presence, and the said *A.B.* having been first duly cautioned that he was not obliged to say anything, but whatever he did say might be given in Evidence against him upon his Trial, saith as follows: [*here state what he shall say, and in his very Words, or as nearly as possible, and to be signed by him if he will.*]

Taken before me, *J.S.*, Justice.

(O a.) *Commitment or Detainer of Accused for Trial.*

Section 88, para. 8.

C.D. Prosecutor, } Sessional Division of
A.B. Accused. } County of

To the Constables of and to the Keeper of the Gaol at

Whereas *A.B.* (herein-after called "Accused") was this Day charged before the undersigned Justice of the said County, on the Oaths of *C.D.* and others, for that the Accused on, *&c.*, at, *&c.* [*stating shortly the Offence, Time, and Place, as in the Caption of the Depositions*]:

[*Or, where Indictment found:*—Whereas a Bill of Indictment has been found against *A.B.* (herein-after called "Accused") for the Offence of *as in the Certificate of Indictment being found,* and the Accused has been brought before me pursuant to my Warrant, *or,* and the Accused is now in the Gaol at *F.*, charged with some other Offence or Matter:]

[*Or, on Surrender of Bail:*—Whereas *A.B.*, who was bailed to answer the Charge of [*stating it*], having been arrested on a Complaint of *L.M.*, One of his Sureties, that he was about to abscond for the Purpose of evading Justice, and brought before me, I am satisfied that the Ends of Justice would be defeated if he were not committed as herein-after mentioned:]

This is to command you, the said Constables and Keeper, to take and lodge the said Accused in the Gaol at *F.* there to be [*or, if Accused already there,* to lodge this Warrant with the Keeper of the said Gaol at *F.* to the intent that the said Accused may there be] safely kept by the Keeper of the said Gaol until his Trial for the said Offence, and until he shall be discharged by due Course of Law, [*or if new Sureties are to be found on a Surrender of Bail, say,* until he shall find Surety *or* Sureties as is *or* are hereupon indorsed].

Given, *&c.*, [*as* (*E*).]

Section 88, para. 9.

(O b.) *Warrant to convey Accused before a Justice of another County.*

C.D., Prosecutor, } Sessional Division of
A.B., Accused. } County of *A.*

To *W.T.*, Constable of in the County of *A.*

Whereas *A.B.* was this Day charged before me, for that [*stating Offence, Time, and Place*]:

And whereas I have taken the Deposition of *C.D.* as to the said Offence:

And whereas the other Witnesses reside in the County of *B.*:

This is to command you to convey the said *A.B.* before some Justice of the last-mentioned County near the above Place, and to deliver him this Warrant and the said Deposition.

Given under my Hand and Seal this Day of 186 at .

J.S., Justice of the County of *A.* (L.S.)

Section 88, para. 10.

(O c.) *Order for Payment of the Constable's Expenses.*

C.D., Prosecutor, } Sessional Division of
A.B., Accused. } County of *B.*

To *R.W.*, Esquire, Treasurer of the said County.

Whereas *W.T.*, Constable of in the County of *A.*, hath brought before me, in obedience to a Warrant of *J.S.*, Esquire, a Justice of that County, one *A.B.*, charged with having committed the Offence of in this County, to be dealt with according to Law: [*Or,* And whereas *W.T.*, Constable, *&c.*, hath produced unto me the (annexed) Receipt of *J.W.*, Keeper of the Gaol at for the Body of *A.B.*, committed for Trial by the Warrant of *J.S.*, Esquire, a Justice of the said County of *A.*, for the Offence of in this County:] And whereas I have ascertained that the Sum which ought to be paid to the said *W.T.* for conveying the said Accused from to (a Distance of Miles), and taking him before me [*or* to the said Gaol] is the Sum of , and that the reasonable Expenses of the said *W.T.* in returning will amount to the further Sum of , making together the Sum of : This is to order you, as such Treasurer of the said County of *B.*, to pay unto the said *W. T.* the said Sum of for which Payment this Order shall be your sufficient Voucher and Authority.

Given under my Hand this Day of 186 .

J.P., Justice of County of *B.*

(O d.) *Register of Committals for Trial.*

Section 93, para. 3.

Name, &c., of Accused.	Prosecutor and Witnesses.		Offence and Date.	Date of Examination.	Where to be tried.	Committing Justice.	If bailed.			Particulars of Certificate of Expenses.	Whether Accused convicted, and the Sentence.
	Name, &c.	Recognizance.					Sureties.	Amount.	Justice.		
		£						£		*£ s. d.*	

(P.) *Receipt for a Prisoner.*

Section 128, ara. 8.

County of .

I certify that I have this Day received from Constable of the Body of *A.B.*, together with a Warrant under the Hand of *J.S.*, Esquire, Justice for the County of , charged with the Offence of , and that the said Prisoner was sober [*or as the Case may be*] at the Time he was so delivered into my Custody.

Dated this Day of 186 .

J.W., Keeper of the Gaol at .

(Q.) *Order to discharge from Gaol.*

Section 88, para. 10.

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of

To the Keeper of the Gaol at .

Section 83.

Whereas on the Day of *A.B.* was charged [*or* convicted, *or* a Complaint was heard against *A.B.*] for that [*&c. stating the Offence, &c.*]: And whereas the said Accused was committed to take his Trial for the said Offence, but has now duly entered into Recognizance to appear for that Purpose: [*Or, E.F.* was committed for refusing to enter into Recognizance to give Evidence on the Trial of the said Accused for the said Offence, but has now done so :] [*Or*, and the said Accused, for Want of Evidence, has not been bailed or committed :] [*Or*, and I have, pursuant to Section 80 of "The Justices Procedure Act for England, 1865," discharged the said *A.B.* from the Conviction in that Behalf:] [*or, as the Case may be.*]

This is to command you to discharge the said Person so committed, unless he shall be in your Custody for some other Cause.

Dated this Day of 186

J. S., Justice of said County.

Section 90.

(R.) *Certificates of Consent to Accused being bailed.*

(*As a separate Document.*)

Sessional Division of
County of

Whereas on the Day of 186 *A.B.* was committed to the Gaol at charged with Felony [*or* Misdemeanor]: I hereby consent to the said *A.B.* being bailed by Recognizances, himself in the Sum of £ and [Two] Sureties in the Sum of £ each; [but I require him to give (Twenty-four) Hours written Notice to the Prosecutor *C.D.* of the Time and Place on and at which the Persons proposed as Sureties will be tendered, with their Names, Abodes, and Quality.

Dated this Day of 186

J. S., Justice of said County.

(R a.) (*At Foot of Depositions, and on Back of Warrant of Commitment.*)

I consent to the above [*or* within-named] *A.B.* being bailed by Recognizance, himself in £ , and [Two] Sureties in £ each; but I require [*&c., as above.*]

J. S., Justice.

(R b.) *Certificate of Sureties being found.*

To the Keeper of the Gaol at

I certify that *A. B.*, now in your Custody on a Charge of [Felony], in default of Surety [*or* Sureties] to take his Trial, has found the Surety [*or* Sureties] required by the committing Justice, and his [*or* their] Recognizance has this Day been duly entered into before me [*or J. L.*, Esq.]

Dated this Day of 186 .

J. L., Justice of County of *A.*
[*Or, W. M.*, Clerk to the Justices of .]

Section 92.

(S.) *Certificate of Indictment being found.*

County of .

I hereby certify, that at the Court of Oyer and Terminer and General Gaol Delivery [*or* Court of Quarter Sessions] held at in the said County on the Day of 186 a Bill of Indictment was found by the Grand Jury against *A. B.*, therein described as *A. B.* of, *&c.*, for that on the Day of 186 , at , [*state Offence and Place*], and that the said *A. B.* has not appeared or pleaded to the said Indictment [*adding any other Order made as to the bailing of Accused*].

Dated this Day of 186 .

H. A., Clerk of Indictments [*or* Peace].

Part X.
Section 101.

(T a.) *Summary Conviction for an Indictable Offence, or in other Cases where desired to be drawn up separately.*

Sessional Division of County of .

Be it remembered, that on the Day of at in the said County, *A. B.* being charged before us, the undersigned of Her Majesty's Justices of the Peace for the said County, is convicted before us under Section of "The Justices Procedure Act for England, 1865," for that the said *A.B.* [*&c., stating the Offence, and the Time and Place when and where committed*]: And we adjudge the said *A. B.* for his said Offence to* [forfeit and pay the Sum o and in default of Payment thereof to] be imprisoned in the Gaol at *F.* for the Period of with [*or* without] Hard Labour, unless the said Sum shall be sooner paid: [*In the Case of an Offender ordered to be whipped, add,* " and to be once privately whipped during such Imprisonment, the Number of Strokes to be inflicted to be and the Instrument to be used in the Infliction of them to be a Birch Rod ;" [*or if in lieu of Imprisonment, say from the Asterisk* * " to be once privately whipped," *&c.*]

Given under our Hands and Seals, the Day and Year and at the Place first above mentioned.

[*Justices Signatures and Seals.*]

[*The Commitment under this Conviction will be Form* (*J.*)]

(T b.) *Certificate of Expenses of Prosecution.*

Section 105.

C. D., Prosecutor, } Sessional Division of
A. B, Accused. } County of

Whereas *A. B.* has been adjudicated upon and convicted before the undersigned Justices for the said County, under Section of "The Justices Procedure Act for England, 1865"; and we having ascertained that the said Prosecutor and Witnesses are, under the Rules and Regulations now in force within the said County, lawfully entitled to the several Sums of Money hereunder set against their Names respectively for and in respect of their Expenses and Compensation in this Prosecution, do accordingly hereby certify, pursuant to Section 105 of the said Act, that the said Sums are proper to be allowed to the said several Persons, and which Sums make together the Sum of [*in Words at Length*]; viz.,—

	£	*s.*	*d.*
To *C. D.*, the Prosecutor, residing at for his Attendance here Day and Night , being altogether Hours -			
For travelling Miles, Mileage, Railway Fare			
For Fees payable by him to the Clerk to the Justices	*0*	*14*	*0*
For the Fee of his Counsel or Attorney			
For Constables Fees for Apprehension and Detention of the Person charged - . -			
Fee to the Clerk of the Peace for filing the Conviction	*0*	*4*	*0*
To *E. F.*, a Witness residing at for his Attendance here Day and Night , being altogether Hours -			
For travelling Miles, Mileage, Railway Fare			
[*And so on with respect to each Witness.*]			
	£		

Given under our Hands, this Day of 186 at in the County aforesaid.

[*Justices Signatures.*]

(U.) FORMS IN SPECIAL SESSIONS MATTERS.

Section 109, para. 3.

(U a.) *Minute of Appointment of Special Sessions.*

At a Petty Sessions duly summoned for the Sessional Division of [the Borough of] in the County of holden at the in in the said Division, on the Day of 186 , pursuant to Section 109 of "The Justices Procedure Act for England, 1865," before *J. S.*, *J. L.*, *J. P.*, *&c.*, Esqrs., [Four] of Her Majesty's Justices of the Peace for the said [County], and acting for the said Division :

We the said Justices do, pursuant to the said Act, appoint the several Days hereunder written, upon and at which Special Sessions for the Purposes hereunder mentioned shall be holden in and for this Sessional Division during the Year commencing on the First Day of January next, each of such Special Sessions to be held at the in at the Hour of in the Forenoon; [that is to say],—

The General Annual Licensing Meeting for Alehouses and Billiards, on the Day of [August] 1865.

[Eight] Special Sessions for transferring such Licences on the Day of *&c. &c. &c.* :

For licensing Persons to sell Fireworks and deal in Gunpowder, on the same Days as for Alehouse Licence and Billiards, and transferring such Licences : :

For appointing Parochial Constables, on the Day of :

For licensing Persons to deal in Game, on the Day of :

(Twelve) Special Sessions for the Purposes of the Highways, on the Day of *&c. &c.* :

27 & 28 Vict. c. 101, s. 46. For examining and allowing the Accounts of Surveyors of Highways, on the Day of :

For allowing the Lists of Men qualified to serve on Juries, on the Day of :

For appointing Overseers of the Poor, on the Day of :

For examining and allowing the Accounts of Overseers of Parishes not in Unions, on the Day of :

[Four] Special Sessions for hearing Appeals against Rates under 6 & 7 W. 4. c. 96. on the Day of *&c. &c.*

Given under our Hands at the Petty Sessions aforesaid.

To be signed by *J. S.*, *J. L.*, } Justices.

W.M., Clerk of Special Sessions.

Section 109 para. 5.

(U b.) *List of Special Sessions appointed for the Year.*

Sessional Division [County]

comprising the Parishes of

Special Sessions for the Year 1866,

to be held at the in at o'Clock precisely.

January—For the Highways.
February—Transferring Alehouse Licenses.
" Appeals against Rates.
March—Appointing Parochial Constables.
" Appointing Overseers.
April—Allowance of Surveyors' Accounts.

July—Granting Licences to deal in Game.
August—General Annual Licensing Meeting; Gunpowder Licences.
September—Allowing Lists of Jurors, *&c. &c. &c.*
November—Appeals against Rates.

W.M., Clerk of Special Sessions.

(U c.) *General*

(U c.) *General Notice of Special Sessions.*

Section 113, para. 4.

Sessional Division of

Annual Alehouse Licensing Meeting (*or as the Case maybe*).

Notice is hereby given, pursuant to Section 113 of " The Justices Procedure Act for England, 1865," that a Special Sessions [*or* the General Annual Licensing Meeting] of Her Majesty's Justices of the Peace acting for the SessionalDivision of [the Borough of]   in the County of   will be holden at the   in   in the said Division, on the   Day of   next, at the Hour of   in the Forenoon, for the Purpose of hearing Appeals against Rates, on the Ground of Inequality, Unfairness, or Incorrectness, under the Act of 6 & 7 W. 4. Cap. 96. [*or as the Case may be, stating shortly the Purpose, as in the Act relating to the Special Sessions*].

Dated the   Day of   186 .

W.M., Clerk of Special Sessions for the said Division.

(U d.) *Clerk's Precept to Overseers or others.*

Section 113, para. 2.

To the Overseers (*or as the Case may be*) of the Parish of   in the Sessional Division of   in the County of   .

Pursuant to Section 113 of " The Justices Procedure Act for England, 1865," I hereby give you Notice that a Special Sessions of the Justices of this Division will be holden at, &c. on, &c. for the Purpose of appointing Parochial Constables under the Act 5 & 6 Vict. c. 109. [*or as the Case may be, stating shortly the Purpose, as in the Act relating to the Special Sessions*]; and I do hereby direct and require you [*stating the Act to be done, as in the particular Statute*].

Dated, *&c.* [as *in Form* (U c).]

(U e.) *Clerk's Precept to Constable to affix Notices, &c.*

Section 113, para. 3.

To *M.N.*, Superintendent of Police [*or* Constable] of   in the Sessional Division of   .

Pursuant to Section 113 of " The Justices Procedure Act for England, 1865," I hereby direct and require you forthwith [*or* within   Days next ensuing your receiving this Precept] to affix on the Door of the Church of each of the several Parishes of   in the said Sessional Division One of the Notices herewith sent relating to Special Sessions for hearing Appeals against Rates under the Act 6 & 7 W. 4. c. 96. [*or as the Case may be in the Act*]:

> [*Or,* to serve each of the Precepts *or* Notices sent herewith relating to Special Sessions for   on the Persons respectively to whom they are directed :]

And I further direct you to send me on or before the   Day of   a Certificate, endorsed on this Precept, of your having so done.

Dated, *&c.* [*as in Form* (*U c*).]

(U f.) *Clerk's Notice to the Justices.*

Section 113, para. 5.

To *J.S.*, Esquire, Justice of the Peace for the Sessional Division of

I hereby give you Notice, pursuant to Section 113 of " The Justices Procedure Act for England, 1865," that a Special Sessions will be holden at, *&c.*, on, *&c.*, for the Purpose of [*stating it shortly*], under the Act   Vict. Cap.   .

[*Or if Special Sessions is to be held on the same Day for more than One Purpose, say,* " for the following Purposes, viz. :"]

Dated, &c. [*as in Form* (*U c*).]

Section 120.

(U g.) *Caption of an Order, &c. of Special Sessions.*

to wit. } At a Special Sessions for the Sessional Division of [the Borough of] in the County of holden at the in in the same Division, on the Day of 186 [by Adjournment from the Day of *if so*], before *J.S.*, *J.L.*, *J.P.*, *&c.* [Four] of Her Majesty's Justices of the Peace for the said [County], and acting for the said Division for the Highways, [*or* for the Purpose of, *stating it shortly*,] under the Act.

[*Then will follow the Matter of the Order, &c.*]

Given under our Hands and Seals at the [adjourned] Special Sessions aforesaid.

J.L. (L.S.) *Chairman.*

[*This Form is to be used only where no like Form is already given in the particular Act.*]

Section 127.

(V a.) *Warrant to search.*

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of *A.*

To the Constable of

Whereas it appears on the Oath of *C.D.* of *N.*, that the following Articles of Property, viz. [*describe them*], were stolen, and that there is Reason to suspect that the same is concealed in at in the said County of *A.*: This is therefore to authorize and require you to enter in the Daytime into the said Premises, and to search for said Property, and to bring the same, and the Persons in whose Possession the same may be found, before me or some other Justice of the said County.

Given under my Hand and Seal this Day of 186 at

J.S., Justice of said County. (L.S.)

Section 126.

(V b.) *Indorsement on Warrant for Execution in Scotland or Ireland, &c.*

County of } It being proved to me that the Signature " " to the within Warrant is in the Handwriting of the Justice
to wit. } of the Peace within mentioned, and that the Person against whom [*or* whose Goods] it is issued is [*or* are] to be found at in this County, I hereby endorse the Warrant for Execution in this County.

Dated this Day of 186 at

J.M., Justice for said County.

Section 129.

(V c.) *Constable's Return of No Goods (by Indorsement on Distress Warrant).*

I certify that after diligent Search [and for the following Reasons (*set them out*)] sufficient Goods of the Person against whom the within Warrant was issued cannot be found.

Dated this Day of 186 .

W.T., to whom this Warrant was delivered for Execution.

(W a.) *Recog-*

(W a.) *Recognizance Book.*

Section 130 para. 7.

Date.	Principal bound, Residence, &c.	Amount.	Sureties Residence, &c.	Amount.	Offence, &c.	Obligation of Recognizance.	Before whom taken.	By whom estreated, Date, and Remarks.
186 .		£		£				

(W b.) *Recognizance when required to be by a separate Document.*

Section 130, para. 8.

Sessional Division of County of
Be it remembered, that on the Day of 186 ,

A.B. of No. in Street, *&c.*, Laborer,
L.M. of No. in Street, *&c.* (of which House he is Owner *or* Tenant,) Dairyman, and

N.O. of No. in (of which House he is a Lodger), Grocer, personally came before me, the undersigned Justice of the said County, and severally acknowledged themselves bound to forfeit to the Crown the Sum of [*or where Sureties taken for an Accused or Appellant,* the Sums following, viz., the said *A.B.* the Sum of and the said *L.M.* and *N.O* as his Sureties the Sum of each] in case the said *A.B.*, or each of the Persons above bound respectively, fails to perform the Obligation endorsed [*or* hereunder written].

Taken before me,
J.S., Justice of said County.

Whereas *A.B.* stands charged, for that he [*&c., stating the indictable Offence as in the Caption of the Depositions*];

[*or A.B.* has been required by Justices to be bound to keep the Peace and be of good Behaviour towards *C.D.*]:

The Obligation therefore is, that the said several Persons do attend the next Court of Assizes [*or* Quarter Sessions] to be held at in and for the said County, and there prefer or prosecute, *or* give Evidence on, a Bill of Indictment against the said *A.B.* for the said Offence [and then and there to produce the Property and Articles the Subject of the said Charge;]

[*or* to surrender himself to the Keeper of the Gaol at *F.*, and plead to any Indictment found against him for the said Offence, and take his Trial for the same;]

[*or* to keep the Peace and be of good Behaviour towards Her Majesty and all her liege Subjects, and particularly towards *C.D.*, for the Space of .]

Section 130, para. 12.

(W c.) *Notice of any Recognizance to Person bound.*

Sessional Division of County of

Take Notice, that you, *A.B.*, are bound by Recognizance to forfeit the Sum of £ which you have deposited with the Clerk to the Justices, if you fail [*or* if for whom you are Surety, fails] to perform the following Obligation; viz.

To attend at on the Day of 186 at o'Clock at Noon, to answer further to the Charge of Felony [*or* Misdemeanor] made against him:

To attend the next Court of Assizes or Quarter Sessions at [on the Day of *if Day be known*]:

To prosecute [*or* give Evidence] against *A.B.* for Felony [*or* Misdemeanor]:

To surrender yourself *or* himself to the Keeper of the Gaol at *F.*, and plead to any Indictment found against you *or* him on a Charge of Felony [*or* Misdemeanor], and take your *or* his Trial for the same:

To prosecute your *or* his Appeal [*or* to defend and give Evidence upon a certain Appeal of *A.B.*] to the next Quarter Sessions, *or* to the Court of Queen's Bench, against a certain Decision of Justices, and not depart the Court without Leave; *or* and to appear at on after the Determination of such Appeal:

To keep the Peace and be of good Behaviour towards Her Majesty and all her liege Subjects, and particularly towards *C.D.*, for the Space of

Dated this Day of 186 .

J.S., Justice.
[*Or*, *W.M.*, Clerk to the Justices of the said Division.]

Section 136.

(X.) *Solemn Declaration.*

I *A.B.* of [Profession, *&c.*], do solemnly and sincerely declare, that [*here insert the Matter or Facts required; and if it be divided into more Paragraphs than One, say,* declare as follows, that is to say, *and then number the Paragraphs*]: And I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, Chapter Sixty-two, for the Abolition of unnecessary Oaths.

A.B.

Made and subscribed at this Day of 186 before me,
J.S., Justice of the Peace for the
County of

Section 69.

(Y.) *Order in Bastardy Cases, or for the Payment of Money or otherwise, and where Parties shall require a separate Order to be drawn up.*

C.D., Complainant, } Sessional Division of
A.B., Defendant. } County of

Be it remembered, that on this Day of 186 , at , in the said County, a certain Complaint of *C. D.* of, *&c.*, made under the Statute Vict. Cap. Sect. for that one *A.B.* of, *&c.*, [*stating the Matter of Complaint, with Time and Place*], was duly heard by and before us the undersigned, [Two] of the Justices for the said County [in the Presence and Hearing of the said *A. B. if so; or* "the said *A. B.* not appearing to the Summons duly issued and served in this Behalf;"] and pursuant to the said Act we do order and adjudge [*or* award, *as in the Terms of the Act in that Behalf:* And we do further order and adjudge] the said *A. B.* to pay to the said *C. D.* the Sum of [*stating for what*], and also the Sum of for his Costs in this Behalf; the said Sums to be paid forthwith [*or* on or before the Day of next], and in default of Payment of the same to be levied or recovered as by Law directed. [*It need not adjudicate the Mode of Recovery or Imprisonment in default, although stated at the Time of hearing.*]

Given under our Hands and Seals this Day of 186 , at

[*Justices Signatures and Seals.*]

THIRD SCHEDULE.

ENACTMENTS REPEALED. Section 133.

Session and Chapter.	Title.	Extent of Repeal.
3 Jac. 1. c. 10. -	An Act for the rating and levying of the Charges for conveying Malefactors and Offenders to Gaol.	Sections 1 and 3.
27 G. 2. c. 3. -	An Act for the better securing to Constables and others the Expenses of conveying Offenders to Gaol, and for allowing the Charges of poor Persons bound to give Evidence against Felons.	The whole.
9 G. 4. c. 61. -	An Act to regulate the granting of Licences to Keepers of Inns, Alehouses, and Victualling Houses in England.	Section 15.
5 & 6 W. 4. c. 50.	An Act to consolidate and amend the Laws relating to Highways in that Part of Great Britain called England.	Section 110.
5 & 6 W. 4. c. 76.	An Act to provide for the Regulation of Municipal Corporations in England and Wales.	Sections 111, 124 (as to Table of Fees for Clerk to the Justices), 126, 128 to 132, both inclusive.
2 & 3 Vict. c. 47.	An Act for further improving the Police in and near the Metropolis.	Section 77 (except as to Application of Penalty).
2 & 3 Vict. c. 71.	An Act for regulating the Police Courts in the Metropolis.	Sections 17, 19, 20, 21, 22, 31 to 36, both inclusive, 42, 43, 44, 45, 48, 49, and 50 (as to Manner of appealing only).
2 & 3 Vict. c. xciv.	An Act for regulating the Police in the City of London.	Sections 97 (except as to Application of Penalties), 98, 99, 100, and 101 (as to Manner of appealing only, but except as to Appeal against Rates).
5 & 6 Vict. c. 44.	An Act for the Transfer of Licences and Regulation of Public Houses.	Section 3.
5 & 6 Vict. c. 109.	An Act for the Appointment and Payment of Parish Constables.	Section 17 (except as to Payment of Fees and Allowances by the Overseers).

Session and Chapter.	Title.	Extent of Repeal.
6 & 7 Vict. c. 68.	An Act for regulating Theatres - - -	Section 6.
7 & 8 Vict. c. 33.	An Act for facilitating the Collection of County Rates, and for relieving High Constables from Attendance at Quarter Sessions in certain Cases, and from certain other Duties.	Section 7.
12 & 13 Vict. c. 14.	An Act to enable Overseers of the Poor and Surveyors of the Highways to recover the Costs of distraining for Rates.	The whole.
10 & 11 Vict. c. 82.	An Act for the more speedy Trial and Punishment of Juvenile Offenders.	The whole.
11 & 12 Vict. c. 42.	An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to Persons charged with indictable Offences.	The whole.
11 & 12 Vict. c. 43.	An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to Summary Convictions and Orders.	The whole.
12 & 13 Vict. c 18.	An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs.	Section 1.
13 & 14 Vict. c. 37.	An Act for the further Extension of Summary Jurisdiction in Cases of Larceny.	The whole.
13 & 14 Vict. c. 87.	An Act for Payment of a Moiety of certain Penalties to Police Superannuation Funds.	The whole.
14 & 15 Vict. c. 55.	An Act to amend the Law relating to the Expenses of Prosecutions, and to make further Provision for the Apprehension and Trial of Offenders, in certain Cases.	Sections 9 to 12, both inclusive, (except as to Clerks of the Peace), and Section 18.
18 & 19 Vict. c. 126.	An Act for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases.	Sections 1 to 17, both inclusive, and Section 22.
19 & 20 Vict. c. 118.	An Act to amend the Act of the last Session of Parliament for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases.	Section 1, except as to the Clerks of Assize and Clerks of the Crown therein mentioned.
20 & 21 Vict. c. 43.	An Act to improve the Administration of the Law so far as respects summary Proceedings before Justices of the Peace.	The whole.
21 & 22 Vict. c. 73.	An Act to amend the Law concerning the Powers of Stipendiary Magistrates and Justices of the Peace, in certain Cases.	Sections 1 to 5, both inclusive.
22 & 23 Vict. c. 14.	An Act to amend an Act of the Thirty-ninth and Fortieth Years of King George the Third, for better regulating the Business of Pawnbrokers.	The whole.
22 & 23 Vict. c. 32.	An Act to amend the Law concerning the Police in Counties and Boroughs in England and Wales.	Section 14.
24 & 25 Vict. c. 96.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Larceny and other similar Offences.	Sections 99, 105 to 112, both inclusive, and Section 120.
24 & 25 Vict. c. 97.	An Act to consolidate and amend the Statute Law of England and Ireland relating to malicious Injuries to Property.	Sections 62 to 70, both inclusive, and Section 76.

Session and Chapter.	Title.	Extent of Repeal.
24 & 25 Vict. c. 99.	An Act to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin.	Sections 32 and 41.
24 & 25 Vict. c. 100.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Offences against the Person.	Sections 44, 45, 72, and 76.
24 & 25 Vict. c. 130.	An Act for amending an Act passed in the last Session of Parliament, to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks.	Section 2.
25 Vict. c. 18. -	An Act to amend the Law as to the whipping of Juvenile and other Offenders.	The whole.
25 & 26 Vict. c. 82.	An Act for the more economical Recovery of Poor and other Local Rates and Taxes.	The whole.
26 & 27 Vict. c. 77.	An Act to amend the Law relating to the Jurisdiction of Justices residing or being out of the County for which they are Justices.	The whole.
27 & 28 Vict. c. 80.	An Act to extend the Provisions of "The Criminal Justice Act, 1855," to the Liberties of the Cinque Ports, and to the District of Romney Marsh in the County of Kent.	The whole.
27 & 28 Vict. c. 110.	An Act for the Amendment of the Law relating to the Mitigation of Penalties.	The whole.

Justices of the Peace Procedure.

A

BILL

To consolidate and amend the Acts regulatin
Proceedings before Justices of the Peace ou
of Quarter Sessions in England.

(*Prepared and brought in by*
Mr. Paull, Mr. Staniland, and Mr. Richard Hodgson.

[*Price* 1*s.* 5*d.*]

Ordered, by The House of Commons, *to be Printed,*
15 *February* 1865.

[Bill 23.]

Under 19 *oz.*

A
BILL
TO
Amend the Acts relating to the Harbour of Kingstown.

Preamble.

56 G. 3. c. 62.

1 G. 4. c. 69.

6 & 7 W. 4. c. 117.

1 & 2 Vict. c. 36.

WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His late Majesty King George the Third, Chapter Sixty-two, intituled "An Act for erecting an "Harbour for Ships to the Eastward of Dunleary, within the Port "of Dublin;" and the said Act was amended by an Act of the First Year of His late Majesty King George the Fourth, Chapter Sixty-nine: And whereas a further Act was passed in the Session held in the Sixth and Seventh Years of His late Majesty King William the Fourth, being "An Act to amend several Acts relating "to the Harbour of Kingstown," by which it was, amongst other things, enacted, that the old Harbour of Dunleary, together with the new Harbour then in course of Erection, should thenceforth be constituted One Harbour, under the Name and Title of "Kingstown Harbour:" And whereas another Act was passed in the Session held in the First and Second Years of the Reign of Her Majesty the now Queen, intituled "An Act to make further Provisions and to amend "the Acts relating to the Harbour of Kingstown, and the Port and "Harbour of Dublin:" And whereas in consequence of the increased Number of Vessels entering the Harbour of Kingstown in Ballast, and leaving the same with Cargoes of Iron Ores and Pyrites and other Produce of Mines, as well as with other Cargoes, it has become necessary to enlarge the Wharfs and Quays of the said Harbour, and afford increased Accommodation thereat; and it is intended to enlarge a certain Quay situate in the said Harbour, now known as the Coal Quay, and to construct other Works for increasing the Wharfs and Quays of the said Harbour: And whereas it is reasonable that all Vessels entering the said Harbour in Ballast, and taking away Cargoes as aforesaid, should pay the Rates herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Threepence a Ton on all Vessels taking in Cargo.

1. From and after the passing of this Act, all Vessels entering the said Harbour of Kingstown in Ballast, whether from any Part of the Port of Dublin or elsewhere, and which, while within such Harbour, or Five hundred Yards of the Entrance thereof, shall take in a Cargo of Ores or Pyrites, or other Produce of any Mines, or of any other Matter or Thing, shall be liable to pay to the Commissioners of the said Harbour, or their Collector, a Tonnage Rate of Threepence per Ton, according to the registered Tonnage of such Vessel.

Gunpowder not to be brought into the Harbour except in conformity with Regulations of Harbour Master.

2. From and after the passing of this Act, if any Owner, Master, or Person having the Charge of any Ship or Vessel (unless driven by Stress of Weather) shall bring the same into the said Harbour of Kingstown, having on board any Quantity of Gunpowder exceeding *One hundred Pounds*, without having previously obtained the Permission of the Harbour Master of the said Harbour signified in Writing under his Hand, or shall knowingly permit or suffer any such Quantity of Gunpowder to be placed or to be on board of any such Ship or Vessel while within such Harbour without such Permission as aforesaid or if any Person without such Permission as aforesaid shall knowingly place any such Quantity of Gunpowder as aforesaid in or upon any Vessel within the said Harbour, every such Owner, Master, or other Person so offending shall forfeit and pay to the Commissioners of the said Harbour the Sum not exceeding *Two hundred Pounds* for every such Offence.

Penalty for refusing to comply with Directions of Harbour Master.

3. In case any such Owner, Master, or other Person having the Charge or Command of any Ship or Vessel on board which any such Quantity of Gunpowder may be, shall refuse or neglect to moor, unmoor, place, move, or remove his Ship or Vessel according to the Direction from Time to Time given by the Harbour Master, or shall refuse or neglect to follow and obey any Directions of the said Harbour Master with respect to the Storage and Custody of such Gunpowder, immediately when Notice to him or them of such Directions as aforesaid shall be given or left with any Person or Persons on board of such Ship or Vessel for that Purpose, every such Owner, Master, or other Person aforesaid shall forfeit and pay to the said Commissioners for every such Offence a Sum not exceeding *Fifty Pounds;* and it shall be lawful for the said Harbour Master, in case any Direction so given by him shall be disobeyed as aforesaid, forthwith to destroy all such Gunpowder, and for that Purpose to enter upon every such Ship or Vessel and make search for the same; and in case the said Harbour Master shall be obstructed in so doing by any Person or Persons whomsoever, then every such Person so offending shall for every such Offence forfeit and pay to the said Commissioners a Sum not exceeding *Twenty Pounds.*

Exemption for Her Majesty's Ships.

4. Nothing herein contained shall apply to any Ship or Vessel belonging to Her Majesty or in Her Majesty's Service; but if any Person shall claim the Benefit of this Exemption, not being entitled thereto, every such Person for every such Offence shall forfeit and pay to the said Commissioners a Sum not exceeding *Twenty-five Pounds.*

Provisions of former Acts extended to this Act.

5. All the Powers and Provisions in the said Acts contained and now in force with respect to the Recovery of Rates, Penalties, and Forfeitures, and the seizing or distraining for the same, shall apply to the Rates, Penalties, and Forfeitures imposed by this Act; and the said Rates, Penalties, and Forfeitures shall be applicable to the like Purposes as the Rates and Penalties now payable to the Commissioners of the said Harbour under the Provisions of the Acts aforesaid, or any of them.

This and recited Acts to be read as One Act.

6. This Act and the herein-before recited Acts shall be read together as One Act.

Kingstown Harbour.

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B I L L

To amend the Acts relating to the
Harbour of Kingstown.

(Prepared and brought in by
Mr. Peel and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed,*
29 *May* 1865.

[Bill 185.]

Under 1 *oz.*

A

BILL

TO

Make Provision for the Establishment of a Bishopric of Lahore, in India.

53 G. 3. c. 155. s. 49. 3 & 4 W. 4. c. 85. s. 89.

WHEREAS the Diocese of the Bishopric of Calcutta, as established by His late Majesty's Letters Patent of the Second Day of May One thousand eight hundred and fourteen, being of too great Extent for the due Performance of the Duties thereof, it was deemed expedient by Her Majesty to assign new Limits to the said Diocese, and to constitute, by Letters Patent of the Thirteenth Day of June One thousand eight hundred and thirty-five and the Thirteenth Day of October One thousand eight hundred and thirty-seven respectively, the Two additional Bishoprics of Madras and Bombay: And whereas, by reason of the further Extension of British Dominion in India, the Diocese of Calcutta, as reduced by the Establishment of the said Two Bishoprics, is of too great Extent for the Incumbent thereof to perform efficiently all the Duties of the Office without endangering his Health and Life, and it is therefore expedient to diminish the Labours of the Bishop of the said Diocese, and for that Purpose to make Provision for assigning new Limits to the Diocese of the said Bishop, and also for founding and constituting a separate Bishopric, but the Bishop thereof to be nevertheless subordinate and subject to the Bishop of Calcutta for the Time being, and his Successors, as his Metropolitan:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

If a Bishopric shall be constituted for Lahore by Her Majesty's Letters Patent, the Salary to be paid out of the Revenues of India.

3 & 4 W. 4. c. 85. s. 101.

1. That in case it shall please Her Majesty to constitute a Bishopric, to be styled the Bishopric of Lahore, and from Time to Time to nominate and appoint a Bishop to such Bishopric, under the Style and Title of Bishop of Lahore, there shall be paid out of the Revenues of India to such Bishop the Sum of *Twenty-five thousand six hundred Rupees* by the Year, in addition to any Sum heretofore authorized by Parliament to be incurred in respect of Bishops and Archdeacons in India.

The same if an Archdeaconry be constituted.

3 & 4 W. 4. c. 85. s. 101.

2. In case it shall please Her Majesty to constitute an Archdeaconry in the said Diocese of Lahore, and from Time to Time to nominate and appoint an Archdeacon to the same, there shall be paid out of the Revenues of India to such Archdeacon the Sum of *Three thousand two hundred Rupees* by the Year, in addition to any Sum heretofore authorized as aforesaid.

Provisions of former Acts incorporated.

21 & 22 Vict. c. 106.

3. All the Provisions which by the Act of the Third and Fourth Years of King William the Fourth, Chapter Eighty-five, are enacted respecting the Bishoprics of Madras and Bombay and the Bishops thereof, save as hereby otherwise provided, shall be taken and deemed to apply to the Bishopric and Bishop of Lahore as constituted under this Act, in the same Manner as if such Provisions were expressly enacted hereby; and the several Functions which are by the said recited Act appointed to be exercised by the Court of Directors of the East India Company, and the President of the Board of Commissioners for the Affairs of India respectively, shall be exercised in the Case of the said Bishopric and Bishop of Lahore, and of the said Archdeacon of Lahore, by the Secretary of State for India in Council, subject to the Provisions of the Act for the better Government of India; and any Act or Proceeding which may, under the said recited Act of the Third and Fourth Year of King William the Fourth, Chapter Eighty-five, be performed by Two of the Bishops of Calcutta, Madras, and Bombay, may be performed by any Two of the Bishops of Calcutta, Madras, Bombay, and Lahore.

Lahore Bishopric.

A

BILL

To make Provision for the Establishment
of a Bishopric of Lahore, in India.

(*Prepared and brought in by*
Sir Charles Wood and Mr. Baring.)

Ordered, by The House of Commons, *to be Printed,*
23 *March* 1865.

[Bill 88.]

Under 1 *oz.*

A

BILL

TO

Extend to the Court of Chancery of the County Palatine of Lancaster certain of the Provisions of an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her present Majesty, intituled "An Act to give to "Trustees, Mortgagees, and others certain Powers "now commonly inserted in Settlements, Mort-"gages, and Wills."

Preamble.

23 & 24 Vict. c. 145. s. 27.

WHEREAS it is doubtful whether the Provisions contained in the Twenty-seventh Section of the last-mentioned Act apply to Trustees appointed by the Court of Chancery of the County Palatine of Lancaster: Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

"Court of Chancery" in recited Act to include Court of Chancery of County Palatine of Lancaster.

1. That the Words "the Court of Chancery" in the Twenty-seventh Section of the last-mentioned Act shall be deemed to extend to and include the Court of Chancery of the County Palatine of Lancaster.

Chancery.

A

BILL

To extend to the Court of Chancery of the County Palatine of Lancaster certain of the Provisions of an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her present Majesty, intituled "An Act to give to Trustees, "Mortgagees, and others certain "Powers now commonly inserted in "Settlements, Mortgages, and Wills."

(*Prepared and brought in by*
Mr. Attorney General and
Mr. Secretary Cardwell.)

Ordered by The House of Commons, *to be Printed,*
7 *April* 1865.

[Bill 106.]

Under 1 *oz.*

Land Debentures Bill.

ARRANGEMENT OF CLAUSES.

The Act to be read with Transfer of Land Act, Sections of that Act to apply; Sect. 1.

PART I.

The Charging of Land for Issue of Debentures.

The Declaration of Charge; 2 to 4.
The Issue of Debentures; 5, 6.
Coupons; 7.
The Debentures; 8 to 12.
Discharge of Debentures; 13.
Satisfaction of Debenture by Payment into Court; 14.
Investment of Trust Money; 15.
Stamps; 16.

PART II.

Realising the Charge.

Appointment of Liquidator and Banker; 17, 18.
Powers and Duties of the Liquidator; 19.
Powers of the Court over the Liquidator; 20.
Liquidator's Deeds of Lease and Conveyance; 21.
Orders of Court registered at the Land Registry, Evidence; 22.
Costs in Court; 23.
Limit of Debenture Owner's Remedy; 24.
Notices; 25.
Schedule.—Forms.

A

BILL

TO

Facilitate the raising of Money by Debentures on the Security of Land.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

This Act to be read with the Transfer of Land Act.

1. This Act shall be read with the Act passed in the Twenty-fifth and Twenty-sixth Years of the Queen, intituled "An Act to facilitate the Proof of Title to and the Conveyance of Real Estates," and the Words and Provisions herein shall be construed accordingly; provided that this Act shall not apply to Land registered without an indefeasible Title.

The said Act of the Twenty-fifth and Twenty-sixth Years of the Queen is herein-after referred to as "the Principal Act."

Sections of that Act to apply.

In addition to the Provisions of the Principal Act made applicable by this Act to Matters in the same, either expressly or impliedly, and without Prejudice to any such Application of any of the Provisions of the Principal Act, the following Provisions of the Principal Act shall apply to this Act; that is to say, the Provisions contained in the Sections of the Principal Act numbered as follows, 93 to 103 inclusively, 105, 106, 107, 114 to 122 inclusively, 124 to 135 inclusively, 137, 138, 139.

PART I.

THE CHARGING OF LAND FOR ISSUE OF DEBENTURES.

Right to special Land Certificate for raising Money under this Act.

2. The Right given by the Seventieth Section of the Principal Act to a registered Proprietor when he shall be desirous of mortgaging his registered Land or Estate to obtain from the Registrar a Special Land Certificate for that Purpose, shall be extended to a registered Proprietor when he shall be desirous of raising Money under this Act upon the Land or Estate.

The Expression "Land Certificate" in this Act shall include a Special Land Certificate.

Charging of Land by a Declaration.

3. The Land described in a Land Certificate may, according to the Estate therein of the Owner described in the Land Certificate, be charged by Endorsement upon it of a Declaration according to the Form A. in the Schedule hereto, with a Principal Sum bearing Interest thereon for the Issue of Debentures as herein-after provided:

The Land according to the Estate therein so described, the Charge so constituted, and the Declaration so endorsed, are herein-after referred to respectively as "the Property charged," "the Charge," and "the Declaration."

The Declaration may contain in relation to the Property charged any Powers, Conditions, and Provisions to which the Charge shall be subject.

Nature and Registration of the Charge.

Upon the Execution of the Declaration, the Charge shall be deemed to be an Interest thereby created, within the Operation of the Thirty-second Section of the Principal Act, out of the Property charged, and shall be entered in the Record of Title, and be subject to the Provisions of the same Act in relation to Interests so entered or to be entered, and the Declaration shall be deemed to be an Instrument within the Operation of the Provisions in the Principal Act relating to the Registration of Instruments, but for the Purpose of its being registered the Land Certificate itself, with the Declaration endorsed, shall be sent to the Registrar, and after Registration shall remain in his Custody, and shall together with the Endorsement be deemed accordingly to be within the several Provisions of the said One hundred and thirty-seventh Section of the Principal Act for Inspection and otherwise, and so that in applying those Provisions a registered Owner of a Debenture herein-after mentioned shall be deemed a Proprietor in the Interest created by the Declaration.

Deposit of Title Deeds.

The registered Owner of the Property charged shall, previously to the Registration of the Declaration, deposit at the Office of Land Registry all such Deeds and Evidences of Title in his Possession or

Power relating to the Property charged as on a Mortgage then made thereof by him for Value the Mortgagee would be entitled to have delivered to him, together with a List thereof, and a Statement under his Hand that he has duly complied with this Provision, which Statement shall be deemed to be a Statement within the Operation of the Provisions contained in the said Section numbered One hundred and five of the Principal Act.

Valuation of Land.

The registered Owner of the Property charged shall be at liberty to deposit at the Office of Land Registry a Valuation on Oath of the Value of the Property charged.

Declaration to have no other than Effect expressed in this Act.

4. On the Registration of the Declaration the Property charged shall be noted in the Record of Title as having been charged, but the Declaration, either before or after Registration of it, shall have no further or other Operation as to the Property charged than is expressed in this Act.

The Debentures.

Issue of Debentures.

5. At any Time or Times after the Registration of the Declaration, the registered Owner at the Time of making the Declaration, or the registered Owner for the Time being of the Property charged, may issue to Persons advancing to him Sums of Money Debentures for the Amounts so advanced, and Interest thereon in accordance with the Terms of the Declaration in the Form B. in the Schedule hereto.

The Debentures shall be of equal Amounts, and be numbered consecutively.

The registered Owner at the Time of making the Declaration, and the registered Owner for the Time being of the Property charged, are hereafter included in the Expression "the registered Land Owner," and a Debenture so issued is herein-after referred to as a "Debenture."

Registration of Debenture to relate to Registration of Charge.

6. The Registration of a Debenture shall relate back to the Date of the Registration of the Declaration, and notwithstanding the Proviso in the Seventy-fourth Section of the Principal Act, a registered Debenture shall prevail over any Title in the Property charged registered subsequently to the Registration of the Declaration, except any other registered Debenture issued under the same Declaration.

Debentures to be payable without Preference.

All registered Debentures issued under the same Declaration shall be payable, with the Interest thereon, without any Preference by reason of any Priority of the Date or Registration of any such Debenture.

Coupons.

7. A Debenture may have annexed to it Coupons entitling the Bearer to the Interest payable in respect thereof.

The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Person paying the same of all Liability in respect of the Coupon and the Interest represented thereby.

Nature and Registration of a Debenture.

8. A Debenture shall be Personal Estate, and be transmissible as such, and shall not be of the Nature of Real Estate, but for the Purposes of the Provisions of the Principal Act in relation to indefeasible Title, Registration, Land Certificates, or any other Provisions of that Act applicable to an Interest, for the Entry of which in the Record of Title that Act makes Provision, the Ownership of a Debenture shall be deemed to be an Interest in Land, and be subject to the Provisions of the Principal Act accordingly, except as by this Act expressed or provided to the contrary.

In entering in the Record of Title the Ownership of a Debenture, and also accordingly in a Land Certificate of such Ownership, it shall be sufficient to describe the Declaration and specify the Number of the Land Certificate on which the Declaration is endorsed, without referring to or describing the Land as described in the Register of Estates.

A Debenture to be within 17 & 18 Vict. c. 113.

9. A Debenture shall be deemed to be a Charge by way of Mortgage, and the Money payable under a Debenture a Mortgage Debt, within the Operation of the Act passed in the Seventeenth and Eighteenth Years of the Queen, intituled "An Act to amend the "Law relating to the Administration of the Estates of deceased "Persons."

Transfer of a Debenture.

10. A registered Owner of a Debenture or his registered Executors, Administrators, or Assigns, may transfer, according to the Form C. in the Schedule hereto, the Debenture, and by such Transfer all Rights of Action and Suit, and all Benefits under this Act and otherwise, which the Transferor had in respect of the Debenture at the Time of the Transfer, shall become vested in the Transferee to be exercisable in his own Name.

Debenture or Transfer to have no Effect against Property until Registration.

11. A Debenture or a Transfer thereof shall not before Registration of it have any Operation in respect of the Property charged.

Exclusion of Trusts affecting Debentures.

12. Notwithstanding anything in the Principal Act, the Property charged shall not be affected by any Trust affecting a Debenture, nor shall the registered Land Owner be affected by any Notice whatever of any such Trust, nor shall the Registrar, either in respect of the registered Land Owner or a Debenture Owner, receive any Notice however given of any such Trust; provided that nothing herein

Saving.

herein contained shall be deemed to take away from the Registered Owner of or a Beneficiary in a Debenture or other Person interested therein, any Right as to Restraint of Conveyance, Caveat, Injunction, or otherwise under the Sections numbered Ninety-three to One hundred and three inclusively in the Principal Act.

Discharge of a Debenture.

13. Upon Payment or Satisfaction of the Principal and Interest payable under a Debenture the Declaration shall, so far as relates to the Debenture, be deemed to be satisfied, and, in the Application of the Provisions herein-before in that Behalf referred to of, the Principal Act to the Declaration, to be accordingly within the Operation of the Eighty-seventh Section of that Act.

Satisfaction of Debenture by Payment into Court.

14. The High Court of Chancery, on the Application of the registered Land Owner, and on being satisfied by Affidavit that the Principal Money due and payable on any Debenture has remained unpaid for Thirty Days by reason of Failure by or on behalf of the registered Debenture Holder to receive Payment, or that there is other reasonable Ground for the Application, may order ex parte that the Applicant be at liberty, within Seven Days or such other Time as the Court shall think fit, to pay the Principal due and the Interest up to the Date of such Payment, with the Privity of the Accountant General of the Court, into the Bank of England, to the Account of such Accountant General in the Matter of the Debenture, to be described by the Particulars in the Form B. in the Schedule hereto, with the Name of the registered Owner, in trust to attend the Orders of the Court.

The Money so paid shall be deemed to be Money paid into the Bank of England within the Operation of the Act passed in the Tenth and Eleventh Years of the Queen, intituled "An Act for "better securing Trust Funds, and for the Relief of Trustees," and the Acts of Parliament and General Orders of the Court in force for the Time being in relation to that Act, and in this Behalf the Applicant shall be deemed to have paid the Money into the Bank of England, as being at the Time of the Payment a Trustee having in his Hands the Money in trust for the Person entitled to it.

On Registration at the Office of Land Registry of the Order of the Court for the Payment into the Bank, and of a Certificate by the Accountant General of the Court of the Payment having been made, the Debenture shall be deemed to be satisfied.

Investment on a Debenture to be within Trust to invest on Real Security.

15. An Investment of Money in One or more Debentures shall be deemed, as regards the Nature of the Security, to be a due Exercise of any Power or Trust already or to be hereafter created to invest Money on Mortgage or Real Security.

Stamps.

Stamps on Declarations, Debentures, and Transfers.

16. *Within the Meaning of the several Acts for the Time being in force relating to Stamps, and of the Provisions of the Principal Act relating to Fees for Entries in or Matters in relation to the Register, and any Scale of Fees made thereunder, a Declaration shall be deemed to be a Deed not otherwise charged, and a Debenture shall be deemed to be a Mortgage made as a Security for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage.*

PART II.

REALISING THE CHARGE.

Notices by Debenture Owner on Default in Payment.

17. If Default be made in Payment of any Money payable under a Debenture, the registered Owner thereof may give, at the Address appointed in the Declaration for Payment of the Money, Notice in Writing, according to the Form D. in the Schedule hereto, of the Default.

The Notice shall be sufficient in Form although not addressed in Terms to any Person.

If the Default continue, either wholly or in part, for Seven Days after giving the Notice, the registered Owner may in like Manner give Notice, according to the Form E. in the Schedule hereto, of his Intention to make the Application next herein-after mentioned at any Time not earlier than Fourteen Days or later than Three Months after giving such Notice.

A Duplicate of the last-mentioned Notice shall, Fourteen Days before such Application, be delivered at the Office of Land Registry, and shall be entered in a Book to be kept there for public Inspection.

The Court of Chancery may appoint a Liquidator and a Banker.

18. The High Court of Chancery, on the Application of the registered Owner of a Debenture, and on being satisfied that the Provisions of the last foregoing Section have been complied with, may appoint a Liquidator and a Banker for the Purposes herein-after mentioned, and upon such Terms and Conditions as the Court may deem just.

The Terms "Liquidator" and "Banker" herein-after used shall mean respectively Liquidator and Banker for the Time being, including the Plural Number.

Vacancies.

A Liquidator or a Banker may resign, or on due Cause shown be removed by the Court, and any Vacancy in the Office of Liquidator or Banker may be filled up by the Court.

There shall be paid and allowed to the Liquidator such Salary or Remuneration and Costs, Charges, and Expenses as the Court may direct.

Remuneration and Expenses.

19. The Liquidator shall have the Powers and Duties following:

Powers and Duties of Liquidator.

Title Deeds.

To take possession of such Deeds and Evidences of Title and Documents relating to the Property charged as the registered Land Owner may have deposited in the Office of Land Registry with the Declaration of Charge, and to inspect and take Copies of such other Deeds and Evidences of Title whereof such Owner would at the Time of executing such Declaration, or under or by virtue of his Estate at that Time in the Property charged, have been or become entitled to inspect and take Copies.

Possession.

To take possession of the Property charged, and to recover and receive the Rents and Profits thereof.

Leases.

To let all or any of the Property charged for such Terms of Years, and at such Rents, and subject to such Covenants, Conditions, and Agreements, and in such Manner as from Time to Time the Liquidator may deem fit.

Repairs, Insurance, and other Acts.

To make Repairs, insure against Loss by Fire, and to do all other Acts necessary or expedient for the proper Use and Occupation and Maintenance of the Property charged.

Receivers.

To employ and pay a Receiver or Manager of the Property charged for any of the above-mentioned Purposes.

Sale.

To sell the Property charged by Public Auction or Private Contract, and either together or in separate Parcels, and to buy in the same or any Part thereof, and re-sell the same, and to make any such Sale or Re-sale subject to such Conditions of Sale, and at such Times, and in such Manner as the Liquidator may think fit, and to employ and pay any Auctioneer for any of such Purposes.

Execution of Deeds.

To execute in the Name of the Liquidator all Deeds and Instruments which the Liquidator may deem necessary for letting or transferring the Property charged, and effectually vesting the same in any Lessee or Purchaser thereof.

Custody of Monies.

To pay all Monies arising from the Rents and Profits, and from the Proceeds of any Lease or Sale of the Property charged, on the Receipt thereof, to the Banker, to a separate Account to be kept by the Liquidator.

Payment of Outgoings.

To pay thereout all necessary and proper Outgoings and Disbursements due and payable in respect of the Property charged.

Payment of Interest and Principal on Debentures.

To pay the Interest and the Principal Money due on the Debentures, without Preference or Priority, in the Manner therein provided.

Payment of Balance.

After paying all Outgoings and Disbursements, Interest and Principal due on the Debentures, and the Salary or Remuneration, Costs, Charges, and Expenses to be paid and allowed to the Liquidator, to pay the Balance in the Hands or under the Control of the Liquidator, and restore any Property remaining unsold and any Deeds and Evidences of Title and Documents relating thereto remaining in the Possession of the Liquidator to the registered Land Owner.

Payment of unclaimed Debenture Money into Court.

To pay into the Bank of England any Money which shall under the last preceding Provision be applicable in Payment of Interest or Principal due on a Debenture, and shall be unclaimed for Three Calendar Months after the Time when all the Principal Money due on the Debenture shall have become payable by the Liquidator, and to make such Payment into the Bank of England as a Trustee having in his Hands such unclaimed Money in trust for the Person then entitled to it within the Operation of the said Act of the Tenth and Eleventh Years of the Queen, and Acts of Parliament and General Orders of the Court in relation to that Act.

Account.

To file in the Court a just and true Account at the End of every Three Months, of all Monies received and paid, during that Period, by or on account of the Liquidator, and of the Balance remaining in his Hands or under his Control.

Solicitor.

To appoint a Solicitor for any Purposes requiring legal Advice or Assistance, and to pay him such Costs as, being allowed on Taxation, may be necessary in that Behalf.

Powers of the Court over the Liquidator and the Proceedings.

20. The Court may make Order, as to any of the above-mentioned Powers and Duties, that the Liquidator shall not exercise the same without the Sanction or further Direction of the Court, and may make such Orders as it may deem necessary to enforce the due Execution of the Powers and Duties of the Liquidator, or otherwise, in relation to the Execution thereof.

The Court may at any Time after an Order for the Appointment of a Liquidator has been made, and upon Proof to the Satisfaction of the Court that all Proceedings under the Order ought to be stayed, make an Order staying the same, either altogether or for a limited Time, on such Terms and subject to such Conditions as it may deem fit.

The Court in all Proceedings under this Act may have regard to the Wishes of the Owners of the Debentures, and may, if it thinks fit, direct Meetings of them to be summoned, held, presided over, and conducted in such Manner as the Court may direct, for the Purpose of ascertaining their Wishes.

21. Any Deed or Instrument executed by the Liquidator under the Power in that Behalf herein-before contained shall have the same Force and Effect as such Deed or Instrument would if executed by the registered Land Owner for a valuable Consideration at the Date of the Registration of the Declaration relating thereto have had under the Provisions of the Principal Act relating to the Disposition of registered Property.

Liquidator's Deeds of Lease and Conveyance.

22. Any Order of the Court respecting the Appointment and any Powers and Duties of the Liquidator registered in the Office of Land Registry shall be conclusive Evidence as to such Powers and Duties, and of due Compliance with all the Provisions of this Act requisite for the Validity of such Order.

Orders of Court registered at the Land Registry Evidence.

23. The Court shall have Power to direct by whom, or out of what Fund, the Costs of any Proceeding before the Court under this Act are to be paid.

Costs in Court.

24. A Debenture Owner shall not be entitled to any other Remedy against the Property charged than the Remedy herein provided against the same.

Limit of Debenture Owner's Remedy.

25. Notices or Matters directed by this Act to be given or delivered may be left at or sent by Post to the proper Address, which in the Case of the registered Land Owner, or of a registered Debenture Owner, shall be his Address registered at the Office of Land Registry for Service, and in case of any other Person his usual or last known Place of Business or Abode.

Notices.

A Notice by Post shall be sent within such Time as shall admit of its being delivered in the due Course of Delivery within the Period prescribed for giving the Notice.

In proving Notice it shall be sufficient to prove that the Notice was properly directed and put into the Post.

SCHEDULE.

FORM A. (Sect. 3.)

Declaration of Charge to be endorsed on the Land Certificate.

Dated this Day of

I, the within-named *A.B.*, declare that the within-described Hereditaments, according to my Estate within described, shall from the Date hereof stand charged with the Sum of £ payable on the [*or otherwise appointing the Time or Times for Payment of the Principal by Notice from the registered Land Owner*], with Interest thereon in the meantime at a Rate not exceeding per Cent. per Annum, payable half-yearly on the of and the of at the same Place. [*Here add any Powers, Conditions, and Provisions to which the Charge is to be subject.*]

(Signed and sealed by *A.B.*)

Witness,
M.N., of
A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.

FORM B. (Sect. 5.)

Debenture.

No.

£

£ per Cent. per Annum, Interest payable on the and
[*if Coupons* according to the Coupons annexed].

Part of a Charge of £ bearing Interest at a Rate not exceeding £ per Cent. per Annum, created by a Declaration endorsed on the Land Certificate, No. and registered the of at the Office of Land Registry, the Principal Money payable [*here add Time for Payment in accordance with the Declaration*].

I *A.B.* of , in consideration of £ advanced to me by *C.D.* of , acknowledge that the said *C.D.* is entitled to the Sum of £ , Part of the said Charge of £ ; and I promise for myself, my Heirs, Executors, and Administrators, to pay to him £ and Interest at the first above-mentioned Rate thereon, at the Times above mentioned respectively. Dated this Day of .

(Signed and sealed by *A.B.*)

Witness,
M.N. of
(A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.)

FORM C. (Sect. 10.)

TRANSFER OF DEBENTURE.

I *A.B.* of , in consideration of £ paid to me by *C.D.* of , as the full Value of the Debenture intended to be hereby transferred, transfer to him the Debenture No. , of the Charge created by the Declaration endorsed on the Land Certificate, No. , and registered the of at the Office of Land Registry.

(Signed and sealed by *A.B.*)

Witness,
M.N.,
A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.

FORM D. (Sect. 17.)

NOTICE BY DEBENTURE OWNER OF DEFAULT.

Land Certificate, No. ; £ Debenture, No. .

Take Notice, that on the of £ became due for Interest [*or* Principal, *as the Case may be*] on this Debenture, and that Default has been made in Payment of the said £ , and that it is my Intention to adopt Proceedings to recover the Amount due under such Debenture, pursuant to the Provisions of the Act in that Behalf, unless that Amount be forthwith paid to me. Dated this .

(Signed) *A.B.*,
Registered Owner.

FORM E. (Sect. 17.)

SECOND NOTICE BY DEBENTURE OWNER OF DEFAULT.

Land Certificate, No. ; £ Debenture, No.

Take Notice, that the Default, of which a Notice dated the of has been given, in Payment of £ for Interest [*or* Principal, *as the Case may be*] on this Debenture, continues [*or* continues as to £], and that it is my Intention to apply to the High Court of Chancery before his Honour on the of or so soon thereafter as an Application shall be heard on my Behalf, that *E.F.* may be appointed Liquidator, and *G.H.* may be appointed Banker, or such other Persons respectively as his Honour may think fit, to exercise all the Powers and Duties in the Act in that Behalf contained.

(Signed) *A.B.*,
Registered Owner.

Land Debentures.

A

BILL

To facilitate the raising of Money by Debentures on the Security of Land.

(Prepared and brought in by Mr. Ayrton and Mr. Collins.)

Ordered, by The House of Commons, *to be Printed*, 14 *February* 1865.

[Bill 18.]

Under 2 oz.

Land Debentures Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Sect.
1. The Act to be read with Transfer of Land Act.
2. Limitation of Act.
3. Short Title.

PART I.

THE CHARGING OF LAND FOR ISSUE OF DEBENTURES.

4 to 6. The Declaration of Charge.
7, 8. The Issue of Debentures.
9. Coupons.
10 to 15. The Debentures.
16. Discharge of Debentures.
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PART II.

REALISING THE CHARGE.

20, 21. Appointment of Liquidator and Banker.
22. Powers and Duties of the Liquidator.
23. Powers of the Court over the Liquidator.
24. Liquidator's Deeds of Lease and Conveyance.
25. Orders of Court registered at the Land Registry, Evidence.
26. Costs in Court.
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28. Notices.
29. Entries at Office of Land Registry, how to be made.
30. Registrar, &c. not liable to Action in respect of anything bonâ fide done in Execution of this Act.
SCHEDULE.—Forms.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Facilitate the raising of Money by Debentures on the Security of Land.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

This Act to be read with the Transfer of Land Act.

1. This Act shall be read with and deemed Part of the Act passed in the Twenty-fifth and Twenty-sixth Years of the Queen, intituled "An Act to facilitate the Proof of Title to and the Conveyance of "Real Estates;" provided that this Act shall not apply to Land registered without an indefeasible Title.

The said Act of the Twenty-fifth and Twenty-sixth Years of the Queen is herein-after referred to as "the Principal Act."

Limitation of Act.

2. This Act shall extend and apply to England only.

Short Title.

3. In any Act of Parliament, Document, or Proceeding this Act shall be sufficiently designated as "The Land Debentures Act, 1865."

PART I.

THE CHARGING OF LAND FOR ISSUE OF DEBENTURES.

Right to Special Land Certificate for raising Money under this Act.

4. The Right given by the Seventieth Section of the Principal Act to a registered Proprietor when he shall be desirous of mortgaging his registered Land or Estate to obtain from the Registrar a Special Land Certificate for that Purpose, shall be extended to a registered Proprietor when he shall be desirous of raising Money under this Act upon the Land or Estate.

The Expression "Land Certificate" in this Act shall include One or more Special Land Certificate.

Charging of Land by a Declaration.

5. The Land described in a Land Certificate may, according to the Estate therein of the Owner described in the Land Certificate, be charged by a Declaration according to the Form A. in the Schedule hereto, with a Principal Sum bearing Interest thereon for the Issue of Debentures as herein-after provided:

The Land according to the Estate therein so described, the Charge so constituted, and the Declaration so made, are herein-after referred to respectively as "the Property charged," "the Charge," and "the Declaration."

The Declaration may contain in relation to the Property charged any Powers, Conditions, and Provisions to which the Charge shall be subject.

Nature and Registration of the Charge.

Upon the Execution of the Declaration, the Charge shall be deemed to be an Interest thereby created, within the Operation of the Thirty-second Section of the Principal Act, out of the Property charged, and shall be entered in the Record of Title, and be subject to the Provisions of the same Act in relation to Interests so entered or to be entered, and the Declaration shall be deemed to be an Instrument within the Operation of the Provisions in the Principal Act relating to the Registration of Instruments, but for the Purpose of its being registered the Land Certificate itself, and the Declaration, shall be sent to the Registrar, and after Registration shall remain in his Custody, and shall be deemed accordingly to be within the Provisions of the One hundred and thirty-seventh Section of the Principal Act for Inspection and otherwise, and so that in applying those Provisions a registered Owner of a Debenture herein-after mentioned shall be deemed a Proprietor in the Interest created by the Declaration: Provided that no Property shall be charged by any Declaration with an Amount exceeding Two Thirds of the Valuation thereof, to be made as herein-after provided.

Deposit of Title Deeds.

The registered Owner of the Property charged shall, previously to the Registration of the Declaration, deposit at the Office of Land Registry all such Deeds and Evidences of Title in his Possession or Power relating to the Property charged as on a Mortgage then made thereof by him for Value the Mortgagee would be entitled to have delivered to him, together with a List thereof, and a Statement under his Hand that he has duly complied with this Provision, which Statement shall be deemed to be a Statement within the Operation of the Provisions contained in the One hundred and fifth Section of the Principal Act.

Valuation of Land.

The registered Owner of the Property charged shall deposit at the Office of Land Registry a Valuation on Oath of the Value of the Property charged.

Declaration to have no other Operation than expressed in this Act.

6. On the Registration of the Declaration the Property charged shall be noted in the Record of Title as having been so charged, but the Declaration, either before or after Registration of it, shall have no further or other Operation as to the Property charged than is expressed in this Act.

The Debentures.

Issue of Debentures.

7. At any Time or Times after the Registration of the Declaration, the registered Owner at the Time of making the Declaration, or the registered Owner for the Time being of the Property charged, may issue to Persons advancing to him Sums of Money Debentures for the Amounts so advanced, and Interest thereon in accordance with the Terms of the Declaration in the Form B. in the Schedule hereto.

The Debentures shall be numbered consecutively.

The registered Owner at the Time of making the Declaration, and the registered Owner for the Time being of the Property charged, are hereafter included in the Expression "the registered Land Owner," and a Debenture so issued is herein-after referred to as a "Debenture."

The Registrar before registering any Debenture shall satisfy himself that the Amount thereof, together with that of the Debentures already registered, as issued under the same Declaration, does not exceed the Amount charged by such Declaration.

Registration of Debenture to relate to Registration of Charge.

8. The Registration of a Debenture shall relate back to the Date of the Registration of the Declaration, and notwithstanding the Proviso in the Seventy-fourth Section of the Principal Act, a registered Debenture shall prevail over any Title in the Property charged registered subsequently to the Registration of the Declaration, except any other registered Debenture issued under the same Declaration:

Provided that if after the Registration of the Declaration any Encumbrance by Judgment, Decree, or Order of any Superior Court of Law or Equity be registered against the Property charged, no Debenture shall be subsequently registered unless it shall appear by the Register that the Property charged has been discharged from such Encumbrance, or that the registered Owner of such Encumbrance has consented to the Registration of such Debenture.

Debentures to be payable without Preference.

All registered Debentures issued under the same Declaration shall be payable, with the Interest thereon, without any Preference by reason of any Priority of the Date or Registration of any such Debenture: Provided that the Owner of the Land shall satisfy the Registrar, by Affidavit or otherwise, that no just Right of any Third Person will be injuriously affected by the Registration of such Debentures.

Coupons.

9. A Debenture may have annexed to it Coupons entitling the Bearer to the Interest payable in respect thereof.

The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Person paying the same of all Liability in respect of the Coupon and the Interest represented thereby.

A Debenture to be within 17 & 18 Vict. c. 113.

10. A registered Debenture shall be deemed to be a Charge by way of Mortgage, and the Money payable under a Debenture a Mortgage Debt, within the Operation of the Act passed in the Seventeenth and Eighteenth Years of the Queen, intituled "An "Act to amend the Law relating to the Administration of the "Estates of deceased Persons."

Nature and Registration of a Debenture.

11. For the Purposes of the Provisions of the Principal Act in relation to indefeasible Title, Registration, Land Certificates, or any other Provisions of that Act applicable to an Interest, for the Entry of which in the Record of Title that Act makes Provision, the Ownership of a Debenture shall be deemed to be an Interest in Land, and be subject to the Provisions of the Principal Act accordingly, except as by this Act expressed or provided to the contrary.

Ownership of Debenture, how to be described.

12. In entering in the Record of Title the Ownership of a Debenture, it shall be sufficient to describe the Declaration and specify the Number of the Land Certificate to which the same refers, without referring to or describing the Land as described in the Register of Estates.

Transfer of a Debenture.

13. A registered Owner of a Debenture, or his registered Executors, Administrators, or Assigns, may transfer, according to the Form C. in the Schedule hereto, the Debenture, and by such Transfer all Rights of Action and Suit, and all Benefits under this Act and otherwise, which the Transferor had in respect of the Debenture at the Time of the Transfer, shall become vested in the Transferee to be exercisable in his own Name.

Debenture or Transfer to have no Effect against Property until Registration.

14. A Debenture or a Transfer thereof shall not before Registration of it have any Operation in respect of the Property charged; and the Certificate of such Registration on a Debenture or Transfer shall be deemed a Land Certificate within the Meaning of the Principal Act.

Exclusion of Trusts affecting Debentures registered.

15. Notwithstanding anything in the Principal Act, the Property charged shall not be affected by any Trust affecting a Debenture, nor shall the registered Land Owner be affected by any Notice whatever of any such Trust, nor shall the Registrar, either in respect of the registered Land Owner or a Debenture Owner, receive any Notice however given of any such Trust; provided that nothing herein contained shall be deemed to take away from the registered Owner of or a Beneficiary in a Debenture or other Person interested therein, any Right as to Restraint of Conveyance, Caveat, Injunction, or otherwise under the Sections numbered 93 to 103 inclusively in the Principal Act.

Saving.

Discharge of a Debenture.

16. Upon Payment or Satisfaction of the Principal and Interest payable under a Debenture the Declaration shall, so far as relates to the Debenture, be deemed to be satisfied, and, in the Application of the Provisions herein-before in that Behalf referred to of the Principal Act to the Declaration, to be accordingly within the Operation of the Eighty-seventh Section of that Act.

Satisfaction of Debenture by Payment into Court.

17. The High Court of Chancery, on the Application of the registered Land Owner, and on being satisfied by Affidavit that the Principal Money due and payable on any Debenture has remained unpaid for Thirty Days by reason of Failure by or on behalf of the registered Debenture Holder to receive Payment, or that there is other reasonable Ground for the Application, may order ex parte that the Applicant be at liberty, within Seven Days or such other Time as the Court shall think fit, to pay the Principal due and the Interest up to the Date of such Payment, with the Privity of the Accountant General of the Court, into the Bank of England, to the Account of such Accountant General in the Matter of the Debenture, to be described by the Particulars in the Form (B.) in the Schedule hereto, with the Name of the registered Owner, in trust to attend the Orders of the Court.

The Money so paid shall be deemed to be Money paid into the Bank of England within the Operation of the Act passed in the Tenth and Eleventh Years of the Queen, intituled "An Act for "better securing Trust Funds, and for the Relief of Trustees," and the Acts of Parliament and General Orders of the Court in force for the Time being in relation to that Act, and in this Behalf the Applicant shall be deemed to have paid the Money into the Bank of England, as if at the Time of the Payment he were a Trustee having in his Hands the Money in trust for the Person entitled to it.

On Registration at the Office of Land Registry of the Order of the Court for the Payment into the Bank, and of a Certificate by the Accountant General of the Court of the Payment having been made, the Debenture shall be deemed to be satisfied.

Investment on a Debenture to be within Trust to invest on Real Security.

18. An Investment of Money in One or more Debentures shall be deemed, as regards the Nature of the Security, to be a due Exercise of any Power or Trust already or to be hereafter created to invest Money on Mortgage or Real Security; provided that such Improvements shall in other respects be reasonable and proper.

Stamps.

Stamps on Declarations, Debentures, and Transfers.

19. *Within the Meaning of the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue, a Declaration shall be deemed to be a Deed not otherwise charged, and a Debenture shall be deemed to be a Mortgage made as a Security for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage.*

PART II.

REALISING THE CHARGE.

Notices by Debenture Owner on Default in Payment.

20. If Default be made in Payment of any Money payable under a registered Debenture, the registered Owner thereof may give, at the Address appointed in the Declaration for Payment of the Money, Notice in Writing, according to the Form D. in the Schedule hereto, of the Default.

The Notice shall be sufficient in Form although not addressed in Terms to any Person.

If the Default continue, either wholly or in part, for Seven Days after giving the Notice, the registered Owner may in like Manner give Notice, according to the Form E. in the Schedule hereto, of his Intention to make the Application next herein-after mentioned at any Time not earlier than Fourteen Days or later than Three Months after giving such Notice.

A Duplicate of the last-mentioned Notice shall, Fourteen Days before such Application, be delivered at the Office of Land Registry, and shall be entered in a Book to be kept there for public Inspection.

The Court of Chancery may appoint a Liquidator and a Banker.

21. The High Court of Chancery, on the Application of the registered Owner of a Debenture, and on being satisfied that the Provisions of the last foregoing Section have been complied with, may appoint a Liquidator and a Banker for the Purposes herein-after mentioned, and upon such Terms and Conditions as the Court may deem just.

The Terms "Liquidator" and "Banker" herein-after used shall mean respectively Liquidator and Banker for the Time being, including the Plural Number.

Vacancies.

A Liquidator or a Banker may resign, or on due Cause shown be removed by the Court, and any Vacancy in the Office of Liquidator or Banker may be filled up by the Court.

Remuneration and Expenses.

There shall be paid and allowed to the Liquidator such Salary or Remuneration, and Costs, Charges, and Expenses, as the Court may direct.

Powers and Duties of Liquidator.

22. The Liquidator shall have the Powers and Duties following:

Title Deeds.

To take possession of such Deeds and Evidences of Title and Documents relating to the Property charged as the registered Land Owner may have deposited in the Office of Land Registry with the Declaration of Charge, and to inspect and take Copies of such other Deeds and Evidences of Title whereof such Owner would at the Time of executing such Declaration, or under or by virtue of his Estate at that Time in the Property charged, have been or become entitled to inspect and take Copies.

Possession.

To take possession of the Property charged, and to recover and receive the Rents and Profits thereof.

Leases.

To let all or any of the Property charged for such Terms of Years, and at such Rents, and subject to such Covenants, Conditions, and Agreements, and in such Manner as from Time to Time the Liquidator may deem fit.

Repairs, Insurance, and other Acts.

To make Repairs, insure against Loss by Fire, and to do all other Acts necessary or expedient for the proper Use and Occupation and Maintenance of the Property charged.

Receivers.

To employ and pay a Receiver or Manager of the Property charged for any of the above-mentioned Purposes.

Sale.

To sell the Property charged by Public Auction or Private Contract, and either together or in separate Parcels, and to buy in the same or any Part thereof, and re-sell the same, and to make any such Sale or Re-sale subject to such Conditions of Sale, and at such Times, and in such Manner as the Liquidator may think fit, and to employ and pay any Auctioneer for any of such Purposes.

Execution of Deeds.

To execute in the Name of the Liquidator all Deeds and Instruments which the Liquidator may deem necessary for letting or transferring the Property charged, and effectually vesting the same in any Lessee or Purchaser thereof.

Custody of Monies.

To pay all Monies arising from the Rents and Profits, and from the Proceeds of any Lease or Sale of the Property charged, on the Receipt thereof, to the Banker, to a separate Account to be kept by the Liquidator.

Payment of Outgoings.

To pay thereout all necessary and proper Outgoings and Disbursements due and payable in respect of the Property charged.

Payment of Interest and Principal on Debentures.

To pay the Interest and the Principal Money due on the registered Debentures, without Preference or Priority, in the Manner therein provided.

Payment of Balance.

After paying all Outgoings and Disbursements, Interest and Principal due on the Debentures, and the Salary or Remuneration, Costs, Charges, and Expenses to be paid and allowed to the Liquidator, to pay the Balance in the Hands or under the Control of the Liquidator, and restore any Property remaining unsold and any Deeds and Evidences of Title and Documents relating thereto remaining in the Possession of the Liquidator to the registered Land Owner.

Payment of unclaimed Debenture Money into Court.

To pay into the Bank of England any Money which shall under the last preceding Provision be applicable in Payment of Interest or Principal due on a registered Debenture, and shall be unclaimed for Three Calendar Months after the Time when all the Principal Money due on the Debenture shall have become payable by the Liquidator, and to make such Payment into the Bank of England as a Trustee having in his Hands such unclaimed Money in trust for the Person then entitled to it within the Operation of the said Act of the Tenth and Eleventh Years of the Queen, and Acts of Parliament and General Orders of the Court in relation to that Act.

Account.

To file in the Court a just and true Account at the End of every Three Months, of all Monies received and paid, during that Period, by or on account of the Liquidator, and of the Balance remaining in his Hands or under his Control.

Solicitor.

To appoint a Solicitor for any Purposes requiring legal Advice or Assistance, and to pay him such Costs as, being allowed on Taxation, may be necessary in that Behalf.

23. The

Powers of the Court over the Liquidator and the Proceedings.

23. The Court may make Order, as to any of the above-mentioned Powers and Duties, that the Liquidator shall not exercise the same without the Sanction or further Direction of the Court, and make such Orders as it may deem necessary to enforce the due Execution of the Powers and Duties of the Liquidator, or otherwise, in relation to the Execution thereof.

The Court may at any Time after an Order for the Appointment of a Liquidator has been made, and upon Proof to the Satisfaction of the Court that all Proceedings under the Order ought to be stayed, make an Order staying the same, either altogether or for a limited Time, on such Terms and subject to such Conditions as it may deem fit.

The Court in all Proceedings under this Act may have regard to the Wishes of the registered Owners of the Debentures, and may, if it thinks fit, direct Meetings of them to be summoned, held, presided over, and conducted in such Manner as the Court may direct, for the Purpose of ascertaining their Wishes.

Liquidator's Deeds of Lease and Conveyance.

24. Any Deed or Instrument executed by the Liquidator under the Power in that Behalf herein-before contained shall have the same Force and Effect as such Deed or Instrument would, if executed by the registered Land Owner for a valuable Consideration at the Date of the Registration of the Declaration relating thereto, have had under the Provisions of the Principal Act relating to the Disposition of registered Property.

Orders of Court registered at the Land Registry Evidence.

25. Any Order of the Court respecting the Appointment, Powers, and Duties of the Liquidator registered in the Office of Land Registry shall be conclusive Evidence as to such Appointment, Powers, and Duties, and of due Compliance with all the Provisions of this Act requisite for the Validity of such Order.

Miscellaneous.

Costs in Court.

26. The Court shall have Power to direct by whom, or out of what Fund, the Costs of any Proceeding before the Court under this Act are to be paid.

Limit of Debenture Owner's Remedy.

27. A Debenture Owner shall not be entitled to any other Remedy against the Property charged than the Remedy herein provided against the same, but shall be entitled to any Remedies to enforce the Covenant in the Debenture.

Notices.

28. Notices or Matters directed by this Act to be given or delivered may be left at or sent by Post to the proper Address, which in the Case of the registered Land Owner, or of a registered

Debenture Owner, shall be his Address registered at the Office of Land Registry for Service, and in case of any other Person his usual or last known Place of Business or Abode.

A Notice by Post shall be sent within such Time as shall admit of its being delivered in the due Course of Delivery within the Period prescribed for giving the Notice.

In proving Notice it shall be sufficient to prove that the Notice was properly directed and put into the Post.

Entries at Office of Land Registry, how to be made.

29. The Entries to be made under this Act at the Office of Land Registry shall be made in such Books, and in such Manner and Form, as the Registrar may from Time to Time appoint, but it shall not be necessary to print any Instrument or other Matter to be made or done under this Act.

Registrar, &c. not liable to Action.

30. No Person, being the Registrar, Assistant Registrar, or other Officer or Servant of the Office of Land Registry, shall be liable to any Action, Suit, or other Proceeding, or any Claim or Demand, by reason of anything done bonâ fide by him in the Execution of this Act.

SCHEDULE.

FORM A. (Sect. 3.)

Declaration of Charge.

Dated this Day of .

I, the within-named *A.B.*, declare that the within-described Hereditaments, [*or if a separate Instrument, then by Reference to the Words of the Certificate,*] according to my Estate within described, shall from the Date thereof stand charged under the Provisions of the "Land Debentures (England) Act" with the Sum of £ payable on the [*or otherwise appointing the Time or Times for Payment of the Principal by Notice from the registered Land Owner*], with Interest thereon in the meantime at a Rate not exceeding per Cent. per Annum, payable half-yearly on the of and the of at the same Place. [*Here add any Powers, Conditions, and Provisions to which the Charge is to be subject.*]

(Signed and sealed by *A.B.*)

Witness,
M.N., of
A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.

FORM B. (Sect. 5.)

Debenture.

No.
£

£ per Cent. per Annum, Interest payable on
the
and
at
[*if Coupons* according to the Coupons annexed].

Part of a Charge of £ bearing Interest at a Rate not exceeding £ per Cent. per Annum, created by a Declaration of [*Date*], charging the Interest on the Property as stated, Land Certificate, No. and registered the of at the Office of Land Registry, the

Principal Money payable [*here add Time and Place for Payment in accordance with the Declaration*].

I *A.B.* of , in consideration of £ advanced to me by *C.D.* of , acknowledge that the said *C.D.* is entitled to the Sum of £ , Part of the said Charge of £ ; and I promise for myself, my Heirs, Executors, and Administrators, to pay to him £ and Interest at the first above-mentioned Rate thereon, at the Times and Place above mentioned respectively. Dated this Day of .

(Signed and sealed by *A.B.*)

Witness,
M.N. of Registered,
(A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.)

FORM C. (Sect. 10.)

Transfer of Debenture.

I *A.B.* of , in consideration of £ paid to me by *C.D.* of , transfer to him the Debenture No. , Part of the Charge created by the Declaration dated , charging the Land Certificate, No. , and registered the of at the Office of Land Registry [*or, if endored, insert,* the within Debenture].

(Signed by *A.B.*)

Witness,
M.N., Registered,
A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.

FORM D. (Sect. 17.)

Notice by Debenture Owner of Default.

Land Certificate, No. ; £ Debenture, No. .

Take Notice, that on the of £ became due for Interest [*or* Principal, *as the Case may be*] on this Debenture, and that Default has been made in Payment of the said £ , and that it is my Intention to adopt Proceedings to recover the Amount due under such Debenture, pursuant to the Provisions of the Act in that Behalf, unless that Amount be forthwith paid to me. Dated this .

(Signed) *A.B.*,
Registered Owner.

FORM E. (Sect. 17.)

SECOND NOTICE BY DEBENTURE OWNER OF DEFAULT.

Land Certificate, No. ; £ Debenture, No. .

Take Notice, that the Default, of which a Notice dated the of has been given, in Payment of £ for Interest [*or* Principal, *as the Case may be*] on this Debenture, continues [*or* continues as to £], and that it is my Intention to apply to the High Court of Chancery before his Honour on the of or so soon thereafter as an Application shall be heard on my Behalf, that *E.F.* may be appointed Liquidator, and *G.H.* may be appointed Banker, or such other Persons respectively as his Honour may think fit, to exercise all the Powers and Duties in the Act in that Behalf contained, *or, if any Powers are intended to be excepted, add,* except the Powers *c, d, &c.*

(Signed) *A.B.*,
Registered Owner.

Land Debentures.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To facilitate the raising of Money by Debentures on the Security of Land.

(Prepared and brought in by
Mr. Ayrton and Mr. Collins.)

Ordered, by The House of Commons, *to be Printed,*
20 *March* 1865.

[Bill 79.]

Under 2 oz.

Land Debentures Bill.

[AS AMENDED BY THE SELECT COMMITTEE
AND ON RE-COMMITMENT.]

ARRANGEMENT OF CLAUSES.

Sect.
1. The Act to be read with Transfer of Land Act.
2. Limitation of Act.
3. Short Title.

PART I.

The Charging of Land for Issue of Debentures.

4 to 6. The Declaration of Charge.
7, 8. The Issue of Debentures.
9. Coupons.
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PART II.

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27. Notices.
28. Entries at Office of Land Registry, how to be made.
29. Registrar, &c. not liable to Action in respect of anything bonâ fide done in Execution of this Act.
Schedule.—Forms.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE
AND ON RE-COMMITMENT]

TO

Facilitate the raising of Money by Debentures on the Security of Land.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act shall be read with and deemed Part of the Act passed in the Twenty-fifth and Twenty-sixth Years of the Queen, intituled "An Act to facilitate the Proof of Title to and the Conveyance of "Real Estates;" provided that this Act shall not apply to Land registered without an indefeasible Title.

This Act to be read with the Transfer of Land Act.

The said Act of the Twenty-fifth and Twenty-sixth Years of the Queen is herein-after referred to as "the Principal Act."

2. This Act shall extend and apply to England only.

Limitation of Act.

3. In any Act of Parliament, Document, or Proceeding this Act shall be sufficiently designated as "The Land Debentures Act, 1865."

Short Title.

PART I.

THE CHARGING OF LAND FOR ISSUE OF DEBENTURES.

Right to Special Land Certificate for raising Money under this Act.

4. The Right given by the Seventieth Section of the Principal Act to a registered Proprietor when he shall be desirous of mortgaging his registered Land or Estate to obtain from the Registrar a Special Land Certificate for that Purpose, shall be extended to a registered Proprietor when he shall be desirous of raising Money under this Act upon the Land or Estate.

The Expression "Land Certificate" in this Act shall include One or more Special Land Certificate.

Charging of Land by a Declaration.

5. The Land described in a Land Certificate may, according to the Estate therein of the Owner described in the Land Certificate, be charged by a Declaration according to the Form A. in the Schedule hereto, with a Principal Sum bearing Interest thereon for the Issue of Debentures as herein-after provided :

The Land according to the Estate therein so described, the Charge so constituted, and the Declaration so made, are herein-after referred to respectively as "the Property charged," "the Charge," and "the Declaration."

The Declaration may contain in relation to the Property charged any Powers, Conditions, and Provisions to which the Charge shall be subject.

Nature and Registration of the Charge.

Upon the Execution of the Declaration, the Charge shall be deemed to be an Interest thereby created, within the Operation of the Thirty-second Section of the Principal Act, out of the Property charged, and shall be entered in the Record of Title, and be subject to the Provisions of the same Act in relation to Interests so entered or to be entered, and the Declaration shall be deemed to be an Instrument within the Operation of the Provisions in the Principal Act relating to the Registration of Instruments, but for the Purpose of its being registered the Land Certificate itself, and the Declaration, shall be sent to the Registrar, and after Registration shall remain in his Custody, and shall be deemed accordingly to be within the Provisions of the One hundred and thirty-seventh Section of the Principal Act for Inspection and otherwise, and so that in applying those Provisions a registered Owner of a Debenture herein-after mentioned shall be deemed a Proprietor in the Interest created by the Declaration: Provided that no Property shall be charged by any Declaration with an Amount exceeding Two Thirds of the Valuation thereof, to be made as herein-after provided.

The

Deposit of Title Deeds.

The registered Owner of the Property charged shall, previously to the Registration of the Declaration, deposit at the Office of Land Registry all such Deeds and Evidences of Title in his Possession or Power relating to the Property charged as on a Mortgage then made thereof by him for Value the Mortgagee would be entitled to have delivered to him, together with a List thereof, and a Statement under his Hand that he has duly complied with this Provision, which Statement shall be deemed to be a Statement within the Operation of the Provisions contained in the One hundred and fifth Section of the Principal Act.

Valuation of Land.

The registered Owner of the Property charged shall deposit at the Office of Land Registry a Valuation on Oath of the Value of the Property charged.

Declaration to have no other Operation than expressed in this Act.

6. On the Registration of the Declaration the Property charged shall be noted in the Record of Title as having been so charged, but the Declaration, either before or after Registration of it, shall have no further or other Operation as to the Property charged than is expressed in this Act.

The Debentures.

Issue of Debentures.

7. At any Time or Times after the Registration of the Declaration, the registered Owner at the Time of making the Declaration, or the registered Owner for the Time being of the Property charged, may issue to Persons advancing to him Sums of Money Debentures for the Amounts so advanced, and Interest thereon in accordance with the Terms of the Declaration in the Form B. in the Schedule hereto.

The Debentures shall be numbered consecutively.

The registered Owner at the Time of making the Declaration, and the registered Owner for the Time being of the Property charged, are hereafter included in the Expression "the registered Land Owner," and a Debenture so issued is herein-after referred to as a "Debenture."

The Registrar before registering any Debenture shall satisfy himself that the Amount thereof, together with that of the Debentures already registered, as issued under the same Declaration, does not exceed the Amount charged by such Declaration.

Registration of Debenture to relate to Registration of Charge.

8. The Registration of a Debenture shall relate back to the Date of the Registration of the Declaration, and notwithstanding the Proviso in the Seventy-fourth Section of the Principal Act, a registered Debenture shall prevail over any Title in the Property charged registered subsequently to the Registration of the Declaration, except any other registered Debenture issued under the same Declaration: Provided that if after the Registration of the Declaration any Encumbrance by Judgment, Decree, or Order of any Superior Court of Law or Equity be registered against the Property charged, no Debenture shall be subsequently registered unless it shall appear by the Register that the Property charged has been discharged from such Encumbrance, or that the registered Owner of such Encumbrance has consented to the Registration of such Debenture.

Debentures to be payable without Preference.

All registered Debentures issued under the same Declaration shall be payable, with the Interest thereon, without any Preference by reason of any Priority of the Date or Registration of any such Debenture.

Coupons.

9. A Debenture may have annexed to it Coupons entitling the Bearer to the Interest payable in respect thereof.

The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Person paying the same of all Liability in respect of the Coupon and the Interest represented thereby.

A Debenture to be within 17 & 18 Vict. c. 113.

10. A registered Debenture shall be deemed to be a Charge by way of Mortgage, and the Money payable under a Debenture a Mortgage Debt, within the Operation of the Act passed in the Seventeenth and Eighteenth Years of the Queen, intituled "An "Act to amend the Law relating to the Administration of the "Estates of deceased Persons."

Nature and Registration of a Debenture.

11. For the Purposes of the Provisions of the Principal Act in relation to indefeasible Title, Registration, Land Certificates, or any other Provisions of that Act applicable to an Interest, for the Entry of which in the Record of Title that Act makes Provision, the Ownership of a Debenture shall be deemed to be an Interest in Land, and be subject to the Provisions of the Principal Act accordingly, except as by this Act expressed or provided to the contrary.

Ownership of Debenture, how to be described.

12. In entering in the Record of Title the Ownership of a Debenture, it shall be sufficient to describe the Declaration and specify the Number of the Land Certificate to which the same refers, without referring to or describing the Land as described in the Register of Estates.

Transfer of a Debenture.

13. A registered Owner of a Debenture, or his registered Executors, Administrators, or Assigns, may transfer, according to the Form C. in the Schedule hereto, the Debenture, and by such Transfer all Rights of Action and Suit, and all Benefits under this Act and otherwise, which the Transferor had in respect of the Debenture at the Time of the Transfer, shall become vested in the Transferee to be exercisable in his own Name.

Debenture or Transfer to have no Effect against Property until Registration.

14. A Debenture or a Transfer thereof shall not before Registration of it have any Operation in respect of the Property charged; and the Certificate of such Registration on a Debenture or Transfer shall be deemed a Land Certificate within the Meaning of the Principal Act.

Exclusion of Trusts affecting Debentures registered.

15. Notwithstanding anything in the Principal Act, the Property charged shall not be affected by any Trust affecting a Debenture, nor shall the registered Land Owner be affected by any Notice whatever of any such Trust, nor shall the Registrar, either in respect of the registered Land Owner or a Debenture Owner, receive any Notice however given of any such Trust; provided that nothing herein contained shall be deemed to take away from the registered Owner of or a Beneficiary in a Debenture or other Person interested therein, any Right as to Restraint of Conveyance, Caveat, Injunction, or otherwise under the Sections numbered 93 to 103 inclusively in the Principal Act.

Saving.

Discharge of a Debenture.

16. Upon Payment or Satisfaction of the Principal and Interest payable under a Debenture the Declaration shall, so far as relates to the Debenture, be deemed to be satisfied, and, in the Application of the Provisions herein-before in that Behalf referred to of the Principal Act to the Declaration, to be accordingly within the Operation of the Eighty-seventh Section of that Act.

Satisfaction of Debenture by Payment into Court.

17. The High Court of Chancery, on the Application of the registered Land Owner, and on being satisfied by Affidavit that the Principal Money due and payable on any Debenture has remained unpaid for Thirty Days by reason of Failure by or on behalf of the registered Debenture Holder to receive Payment, or that there is other reasonable Ground for the Application, may order ex parte that the Applicant be at liberty, within Seven Days or such other Time as the Court shall think fit, to pay the Principal due and the Interest up to the Date of such Payment, with the Privity of the Accountant General of the Court, into the Bank of England, to the Account of such Accountant General in the Matter of the Debenture, to be described by the Particulars in the Form (B.) in the Schedule hereto, with the Name of the registered Owner, in trust to attend the Orders of the Court.

The Money so paid shall be deemed to be Money paid into the Bank of England within the Operation of the Act passed in the Tenth and Eleventh Years of the Queen, intituled "An Act for "better securing Trust Funds, and for the Relief of Trustees," and the Acts of Parliament and General Orders of the Court in force for the Time being in relation to that Act, and in this Behalf the Applicant shall be deemed to have paid the Money into the Bank of England, as if at the Time of the Payment he were a Trustee having in his Hands the Money in trust for the Person entitled to it.

On Registration at the Office of Land Registry of the Order of the Court for the Payment into the Bank, and of a Certificate by the Accountant General of the Court of the Payment having been made, the Debenture shall be deemed to be satisfied.

Stamps.

Stamps on Declarations, Debentures, and Transfers.

18. Within the Meaning of the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue, a Declaration shall be deemed to be a Deed not otherwise charged, and a Debenture shall be deemed to be a Mortgage made as a Security for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage.

PART II.

REALISING THE CHARGE.

Notices by Debenture Owner on Default in Payment.

19. If Default be made in Payment of any Money payable under a registered Debenture, the registered Owner thereof may give, at the Address appointed in the Declaration for Payment of the Money, Notice in Writing, according to the Form D. in the Schedule hereto, of the Default.

The Notice shall be sufficient in Form although not addressed in Terms to any Person.

If the Default continue, either wholly or in part, for Seven Days after giving the Notice, the registered Owner may in like Manner give Notice, according to the Form E. in the Schedule hereto, of his Intention to make the Application next herein-after mentioned at any Time not earlier than Fourteen Days or later than Three Months after giving such Notice.

A Duplicate of the last-mentioned Notice shall, Fourteen Days before such Application, be delivered at the Office of Land Registry, and shall be entered in a Book to be kept there for public Inspection.

20. The High Court of Chancery, on the Application of the registered Owner of a Debenture, and on being satisfied that the Provisions of the last foregoing Section have been complied with, may appoint a Liquidator and a Banker for the Purposes hereinafter mentioned, and upon such Terms and Conditions as the Court may deem just.

The Court of Chancery may appoint a Liquidator and a Banker.

The Terms "Liquidator" and "Banker" herein-after used shall mean respectively Liquidator and Banker for the Time being, including the Plural Number.

A Liquidator or a Banker may resign, or on due Cause shown be removed by the Court, and any Vacancy in the Office of Liquidator or Banker may be filled up by the Court.

Vacancies.

There shall be paid and allowed to the Liquidator such Salary or Remuneration, and Costs, Charges, and Expenses, as the Court may direct.

Remuneration and Expenses.

21. The Liquidator shall have the Powers and Duties following:

Powers and Duties of Liquidator.

To take possession of such Deeds and Evidences of Title and Documents relating to the Property charged as the registered Land Owner may have deposited in the Office of Land Registry with the Declaration of Charge, and to inspect and take Copies of such other Deeds and Evidences of Title whereof such Owner would at the Time of executing such Declaration, or under or by virtue of his Estate at that Time in the Property charged, have been or become entitled to inspect and take Copies.

Title Deeds.

To take possession of the Property charged, and to recover and receive the Rents and Profits thereof.

Possession.

To let all or any of the Property charged for such Terms of Years, and at such Rents, and subject to such Covenants, Conditions, and Agreements, and in such Manner as from Time to Time the Liquidator may deem fit.

Leases.

To make Repairs, insure against Loss by Fire, and to do all other Acts necessary or expedient for the proper Use and Occupation and Maintenance of the Property charged.

Repairs, Insurance, and other Acts.

To employ and pay a Receiver or Manager of the Property charged for any of the above-mentioned Purposes.

Receivers

To sell the Property charged by Public Auction or Private Contract, and either together or in separate Parcels, and to buy in the same or any Part thereof, and re-sell the same, and to make any such Sale or Re-sale subject to such Conditions of

Sale, and at such Times, and in such Manner as the Liquidator may think fit, and to employ and pay any Auctioneer for any of such Purposes.

Execution of Deeds.

To execute in the Name of the Liquidator all Deeds and Instruments which the Liquidator may deem necessary for letting or transferring the Property charged, and effectually vesting the same in any Lessee or Purchaser thereof.

Custody of Monies.

To pay all Monies arising from the Rents and Profits, and from the Proceeds of any Lease or Sale of the Property charged, on the Receipt thereof, to the Banker, to a separate Account to be kept by the Liquidator.

Payment of Outgoings.

To pay thereout all necessary and proper Outgoings and Disbursements due and payable in respect of the Property charged.

Payment of Interest and Principal on Debentures.

To pay the Interest and the Principal Money due on the registered Debentures, without Preference or Priority, in the Manner therein provided.

Payment of Balance.

After paying all Outgoings and Disbursements, Interest and Principal due on the Debentures, and the Salary or Remuneration, Costs, Charges, and Expenses to be paid and allowed to the Liquidator, to pay the Balance in the Hands or under the Control of the Liquidator, and restore any Property remaining unsold and any Deeds and Evidences of Title and Documents relating thereto remaining in the Possession of the Liquidator to the registered Land Owner.

Payment of unclaimed Debenture Money into Court.

To pay into the Bank of England any Money which shall under the last preceding Provision be applicable in Payment of Interest or Principal due on a registered Debenture, and shall be unclaimed for Three Calendar Months after the Time when all the Principal Money due on the Debenture shall have become payable by the Liquidator, and to make such Payment into the Bank of England as a Trustee having in his Hands such unclaimed Money in trust for the Person then entitled to it within the Operation of the said Act of the Tenth and Eleventh Years of the Queen, and Acts of Parliament and General Orders of the Court in relation to that Act.

Account.

To file in the Court a just and true Account at the End of every Three Months, of all Monies received and paid, during that Period, by or on account of the Liquidator, and of the Balance remaining in his Hands or under his Control.

Solicitor.

To appoint a Solicitor for any Purposes requiring legal Advice or Assistance, and to pay him such Costs as, being allowed on Taxation, may be necessary in that Behalf.

22. The Court may make Order, as to any of the above-mentioned Powers and Duties, that the Liquidator shall not exercise the same without the Sanction or further Direction of the Court, and make such Orders as it may deem necessary to enforce the due Execution of the Powers and Duties of the Liquidator, or otherwise, in relation to the Execution thereof.

Powers of the Court over the Liquidator and the Proceedings.

The Court may at any Time after an Order for the Appointment of a Liquidator has been made, and upon Proof to the Satisfaction of the Court that all Proceedings under the Order ought to be stayed, make an Order staying the same, either altogether or for a limited Time, on such Terms and subject to such Conditions as it may deem fit.

The Court in all Proceedings under this Act may have regard to the Wishes of the registered Owners of the Debentures, and may, if it thinks fit, direct Meetings of them to be summoned, held, presided over, and conducted in such Manner as the Court may direct, for the Purpose of ascertaining their Wishes.

23. Any Deed or Instrument executed by the Liquidator under the Power in that Behalf herein-before contained shall have the same Force and Effect as such Deed or Instrument would, if executed by the registered Land Owner for a valuable Consideration at the Date of the Registration of the Declaration relating thereto, have had under the Provisions of the Principal Act relating to the Disposition of registered Property.

Liquidator's Deeds of Lease and Conveyance.

24. Any Order of the Court respecting the Appointment, Powers, and Duties of the Liquidator registered in the Office of Land Registry shall be conclusive Evidence as to such Appointment, Powers, and Duties, and of due Compliance with all the Provisions of this Act requisite for the Validity of such Order.

Orders of Court registered at the Land Registry Evidence.

Miscellaneous.

25. The Court shall have Power to direct by whom, or out of what Fund, the Costs of any Proceeding before the Court under this Act are to be paid.

Costs in Court.

26. A Debenture Owner shall not be entitled to any other Remedy against the Property charged than the Remedy herein provided against the same, but shall be entitled to any Remedies to enforce the Covenant in the Debenture.

Limit of Debenture Owner's Remedy.

27. Notices or Matters directed by this Act to be given or delivered may be left at or sent by Post to the proper Address, which in the Case of the registered Land Owner, or of a registered

Notices.

Debenture Owner, shall be his Address registered at the Office of Land Registry for Service, and in case of any other Person his usual or last known Place of Business or Abode.

A Notice by Post shall be sent within such Time as shall admit of its being delivered in the due Course of Delivery within the Period prescribed for giving the Notice.

In proving Notice it shall be sufficient to prove that the Notice was properly directed and put into the Post.

Entries at Office of Land Registry, how to be made.

28. The Entries to be made under this Act at the Office of Land Registry shall be made in such Books, and in such Manner and Form, as the Registrar may from Time to Time appoint, but it shall not be necessary to print any Instrument or other Matter to be made or done under this Act.

Registrar, &c. not liable to Action.

29. No Person, being the Registrar, Assistant Registrar, or other Officer or Servant of the Office of Land Registry, shall be liable to any Action, Suit, or other Proceeding, or any Claim or Demand, by reason of anything done bonâ fide by him in the Execution of this Act.

SCHEDULE.

FORM A. (Sect. 3.)

Declaration of Charge.

Dated this Day of .

I, the within-named *A.B.*, declare that the within-described Hereditaments, [*or if a separate Instrument, then by Reference to the Words of the Certificate,*] according to my Estate within described, shall from the Date thereof stand charged under the Provisions of the "Land Debentures (England) Act" with the Sum of £ payable on the [*or otherwise appointing the Time or Times for Payment of the Principal by Notice from the registered Land Owner*], with Interest thereon in the meantime at a Rate not exceeding per Cent. per Annum, payable half-yearly on the of and the of at the same Place. [*Here add any Powers, Conditions, and Provisions to which the Charge is to be subject.*]

(Signed and sealed by *A.B.*)

Witness,
M.N., of
A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.

FORM B. (Sect. 5.)

Debenture.

No.
£

£ per Cent. per Annum, Interest payable on
the
and
at
[*if Coupons* according to the Coupons annexed].

Part of a Charge of £ bearing Interest at a Rate not exceeding £ per Cent. per Annum, created by a Declaration of [*Date*], charging the Interest on the Property as stated, Land Certificate, No. and registered the of at the Office of Land Registry, the

Principal Money payable [*here add Time and Place for Payment in accordance with the Declaration*].

I *A.B.* of , in consideration of £ advanced to me by *C.D.* of , acknowledge that the said *C.D.* is entitled to the Sum of £ , Part of the said Charge of £ ; and I promise for myself, my Heirs, Executors, and Administrators, to pay to him £ and Interest at the first above-mentioned Rate thereon, at the Times and Place above mentioned respectively. Dated this Day of

(Signed and sealed by *A.B.*)

Witness,
M.N. of Registered,
(A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.)

FORM C. (Sect. 10.)

Transfer of Debenture.

I *A.B.* of , in consideration of £ paid to me by *C.D.* of , transfer to him the Debenture No. , Part of the Charge created by the Declaration dated , charging the Land Certificate, No. , and registered the of at the Office of Land Registry [*or, if endored, insert,* the within Debenture].

(Signed by *A.B.*)

Witness,
M.N., Registered,
A Solicitor of the High Court of Chancery,
or a Certificated Conveyancer.

FORM D. (Sect. 17.)

Notice by Debenture Owner of Default.

Land Certificate, No. ; £ Debenture, No. .

Take Notice, that on the of £ became due for Interest [*or* Principal, *as the Case may be*] on this Debenture, and that Default has been made in Payment of the said £ , and that it is my Intention to adopt Proceedings to recover the Amount due under such Debenture, pursuant to the Provisions

visions of the Act in that Behalf, unless that Amount be forthwith paid to me. Dated this .

(Signed) *A.B.*,
Registered Owner.

FORM E. (Sect. 17.)

SECOND NOTICE BY DEBENTURE OWNER OF DEFAULT.

Land Certificate, No. ; £ Debenture, No. .

Take Notice, that the Default, of which a Notice dated the of has been given, in Payment of £ for Interest [*or* Principal, *as the Case may be*] on this Debenture, continues [*or* continues as to £], and that it is my Intention to apply to the High Court of Chancery before his Honour on the of or so soon thereafter as an Application shall be heard on my Behalf, that *E.F.* may be appointed Liquidator, and *G.H.* may be appointed Banker, or such other Persons respectively as his Honour may think fit, to exercise all the Powers and Duties in the Act in that Behalf contained, *or, if any Powers are intended to be excepted, add,* except the Powers *c, d, &c.*

(Signed) *A.B.*,
Registered Owner.

Land Debentures.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT]

To facilitate the raising of Money by Debentures on the Security of Land.

(*Prepared and brought in by*
Mr. Ayrton and Mr. Collins.)

Ordered, by The House of Commons, *to be Printed*
27 *April* 1865.

[Bill 120.]

Under 2 oz.

Land Debentures (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preamble.
Extent of Act; Sect. 1.
Short Title of Act; 2.
Glossary; 3.
Court may certify Land to be chargeable with Debentures; 4.
Form of Land Certificate; 5.
Entry and Registry of Certificate; 6.
Court may charge Land with Debentures; 7.
Debentures on unincumbered Land; 8.
Debentures on incumbered Land; 9.
Priority of Debentures; 10.
Transfers by Entry or Memorandum; 11.
Effects of Transfer; 12.
Debentures mutilated or injured; 13.
Debentures destroyed or lost; 14.
Limitation of Principal and Interest; 15.
Debentures to be Personal Estate; 16.
Stamp Duties; 17.
Court Fees; 18.
Court may frame Forms and Rules; 19.
General Powers; 20.
SCHEDULE.

A

BILL

FOR

Authorizing Transferable Debentures to be charged upon Land in Ireland.

WHEREAS it is expedient to authorize the Creation of Transferable Debentures to be charged upon Land in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: **Preamble.**

1. This Act shall extend and apply to Ireland only. **Extent of Act.**

2. In any Act of Parliament, Document, or Proceeding, this Act shall be sufficiently designated as "The Land Debentures (Ireland) Act, 1865." **Short Title of Act.**

3. In the Construction of this Act, and of this Section thereof, the following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context requiring a different Construction: GLOSSARY.

"Court:" The Word "Court" means the Landed Estates Court of Ireland:

"Certificate:" The Word "Certificate" means a Certificate declaring Land chargeable with Debentures under this Act:

"Debenture:" The Word "Debenture" means a Debenture charged upon Land under this Act:

"Person:" The Word "Person" extends to and includes a Body Politic or Corporate, whether aggregate or sole, and any Company as well as a private Individual, and includes also the Assignees of any Bankrupt or Insolvent:

"Possession:" The Word "Possession" includes the Receipt of Rents and Profits:

"Owner:" The Word "Owner," as applied to any Land, means any Person entitled for his own Benefit, at Law or in Equity, in possession, to an Estate in Fee Simple or Fee Farm, and whether subject or not subject to an Incumbrance:

"Incumbrance:" The Word "Incumbrance" means any legal or equitable Charge by Mortgage, Lien, Judgment, Decree, Rule, or Order, Crown Bond, Recognizance, Legacy, Portion, Trust, or otherwise, whereby any Sum of Money is secured upon or made payable out of any Land, and includes also any Easement, and any Rentcharge, Annuity, or other annual or periodical Charge or Payment, except only Quit and Crown Rents, Rentcharges in lieu of Tithe, and Charges imposed by any Act for the Drainage or Improvement of Land:

"Incumbrancer." And the Word "Incumbrancer" means any Person entitled to an Incumbrance, or to require the Payment, Discharge, or Benefit thereof.

Court may certify Land to be chargeable with Debentures.

4. It shall be lawful for the Owner of any Land to apply to the Court to have such Land declared chargeable with Debentures under this Act. Thereupon the Court shall investigate the Title to the Land, and its existing State and Circumstances. If it appear expedient and just to grant the Application, as to the whole or any Part of the Land, the Court shall certify to that Effect, in such Form as it may deem fit.

Form of Land Certificate.

5. Every Certificate shall be made in Duplicate, and shall specify the Name and Description of the Land and of the Owner thereof, the Amount of Debentures with which it shall be chargeable, the Nature and Amount of any prior Incumbrances, and such other Matters or Particulars as the Court may consider it proper to state in such Certificate.

6. One Duplicate of every Certificate shall be entered in the Books of the Court, and the Court shall cause the other Duplicate to be deposited in the Office for registering Deeds, Memorials, and Wills, where the same shall be forthwith registered in like Manner as if it were a Memorial of a Conveyance by the Owner of the Land, but no Affidavit of Execution or Perfection shall be required.

Entry and Registry of Certificate.

7. After the Entry and Registry of such Certificate it shall be lawful for the Court, at any Time and from Time to Time, upon the Application of the Owner for the Time being of the Land comprised therein to charge the same by means of Debentures, in the Form contained in the Schedule to this Act, or in such other Form as may be approved of by the Court, with such Sum or Sums of Money, bearing Interest at such Rate or Rates, or not bearing Interest, and payable or redeemable at such Time or Times, not exceeding *Ten* Years from the Date of the Certificate, as to the Court may seem fit.

Court may charge Land with Debentures.

8. In the Case of unincumbered Land no Debenture shall be charged for such a Principal Sum as, either solely or together with the Amount of the Principal Sum or Sums charged on the same Land by virtue of any other Debenture or Debentures, shall be more than *Ten* Times the Sum which may appear to the Court to be the yearly Value of such Land, having regard, amongst other Matters, to any Lease then affecting the same; nor shall there be reserved by any Debenture upon such unincumbered Land Interest of such annual Amount as, either solely or together with the annual Interest reserved and charged by any other Debenture or Debentures upon the same Land, shall exceed *One Half* of what may appear to the Court to be its yearly Value.

Debentures on unincumbered Land.

9. If the Charge proposed to be created by Debenture is to be puisne or subject to any other Incumbrance the Court shall have regard thereto, and shall estimate such other Incumbrance at its full Value; and shall so limit the Debentures, which it may think fit to issue, that their Amount shall be as amply secured as Debentures would be if charged on unincumbered Land to an Amount not exceeding *Ten* Times the yearly Value thereof.

Debentures on incumbered Land.

10. Debentures upon any Land shall be puisne and subject to the several Incumbrances specified or referred to in the Registered Certificate; also to Quit or Crown Rents, to Rentcharges in lieu of Tithe, and to Charges imposed by any Act heretofore made for the Drainage or Improvement of Land. With those Exceptions, all Debentures charged upon any Land shall be the First Incumbrances thereon. Where there shall be more than One Debenture charged on

Priority of Debentures.

on the same Land there shall be no Priority as between the several Debentures, notwithstanding any Priority in the Date or Number thereof.

Transfers by Entry or Memorandum.

11. At any Time after the Creation of a Debenture it may be transferred by the Court, either by an Entry in its Books or by a Memorandum on the Face or Back of the Debenture, in such Form as the Court may think fit, to the Owner for the Time being of the Land charged therewith, or to any Incumbrancer thereon, or to such other Person as to the Court, having regard to the Rights and Equities of all Parties interested, shall seem expedient and just.

Effects of Transfer.

12. Every Transfer of any Debenture, either by Entry or by Memorandum, shall vest in the Person to whom such Transfer shall be made the Ownership of the Debenture, and of the Charge thereby created. Every Debenture transferred by Entry, and the Monies due or to become due thereon, shall thenceforth be transferable by Entry in the Books of the Court. Every Debenture transferred by Memorandum, and the Monies due or to become due thereon, shall thenceforth be transferable by Endorsement or by Delivery, in like Manner as a Promissory Note payable to Order or to Bearer may now be transferred. It shall be lawful for the Court at any Time, if it think fit, upon the Application of any Person entitled to a Debenture of either Species, whether transferred by Entry or by Memorandum, to cancel such Debenture, and to commute it for a Debenture of the other Species.

Debentures mutilated or injured.

13. In case any Debenture shall be given up to the Court in a mutilated or injured State, it shall be lawful for the Court to cancel such Debenture, and to charge and issue in its place a new Debenture, on such Terms and the Payment of such Fees as the Court may consider just.

Debentures destroyed or lost.

14. In case it shall be proved to the Satisfaction of the Court that any Debenture was destroyed or lost, it shall be lawful for the Court to charge and issue in its place a Duplicate Debenture, marked as such, on such Terms and the Payment of such Fees as the Court may consider just; but without Prejudice to the Rights of any Holder of the original Debenture, by whom it may afterwards be actually produced. Such Duplicate Debenture shall be transferable by Entry only in the Books of the Court.

Limitation of Principal and Interest.

15. Every Debenture shall be deemed a Sum of Money charged upon Land within the Meaning of Sections Forty and Forty-two of the Act of the Third and Fourth Years of the Reign of King William the Fourth, Chapter Twenty-seven, intituled "An Act for the "Limitation of Actions and Suits relating to Real Property, and "for simplifying the Remedies for trying the Rights thereof," and shall be subject to the Periods of Limitation prescribed by those Sections as to Principal and Interest respectively.

Debentures to be Personal Estate.

16. Every Debenture, when transferred by the Court, shall be deemed Personal Estate; and a Debenture so transferred shall not merge in the Land whereon it is charged, although it may belong to the Owner of that Land.

Stamp Duties.

17. *Certificates under this Act shall not be subject to ad valorem Duty, but no Debenture shall be transferred by the Court until it shall have been stamped with the ad valorem Duty properly applicable to a Mortgage for the like Amount.*

Court Fees.

18. In addition to the Stamp Duty payable in respect of each Debenture, the Owner of the Land charged therewith shall pay such Fees as the Court may by any General Order direct, not exceeding the Rate of *Two Shillings and Sixpence* for every Hundred Pounds charged by way of Debenture.

Court may frame Forms and Rules.

19. The Court may frame and promulgate all such Forms, Rules, and Directions as it shall consider requisite or expedient for the Assistance and Guidance of Persons acting under this Act; for annulling Certificates; for regulating the Transfer of Debentures or the Mode and Place of Payment of Principal and Interest, and for enforcing the same by Sale, Distress, Attachment, Penalties in respect of Nonpayment, or otherwise; for calling in or cancelling Debentures, and for the Issue of others, in case of Forgery, Abstraction, Destruction, Defacement, or other like Inconvenience; for the giving of Notices; and generally for facilitating or regulating the Course of Procedure, or giving effect to the Purposes and Provisions of this Act.

General Powers.

20. The Court shall also have the same or the like Powers and Authorities for the Purposes of this Act as it has for those of the Act or Acts of Parliament under which it is at present constituted, as well in relation to the Appointment or Removal and to the Salaries of necessary Officers, as also to the making of General Orders, the Conduct or Costs of Proceedings, the Production of Documents or Examination of Witnesses, and to any other Matter requisite for effecting the Objects of this Act.

SCHEDULE.

N.B.—The Words in Roman Characters may be used as a General Form. The Words in *Italics* and the Figures can be altered to suit each Debenture.

£100. **No. 25.**

PARTICULARS
OF A
LAND DEBENTURE.

Date of Certificate - -	1st *July* 1866.	
Date of annexed Debenture -	10*th August* 1866.	
Principal Sum - -	*One hundred* Pounds.	
Principal due on -	1*st July* 1876.	
Rate of Interest - -	*Four* per Cent.	
Interest payable on -	1st January and 1st July.	
Charged upon - -	Lands of *Great Mantlehill,* Barony of *Clanwilliam,* County of *Tipperary.*	
Contents of Land charged	678A. 1R. 7P. Statute.	
Value of Land - -	*£750* a Year.	
Total Land Debentures	45 of £100 each =	£4,500
	bearing *Four* per Cent. Interest.	
Special Matters - -	*The prior Charges are,—*	
	A Mortgage at Five per Cent. for - -	£1,500
	A Life Annuity for £50, valued at -	750
	A perpetual Annuity for £25, valued at -	750
	Total prior Charges	£3,000
Annexed Debenture transferred to - - -	*James Vincent* of *Merrion Square, Dublin.*	
Date of Transfer - -	21*st August* 1866.	
Entries in Books of Court -	Land Book, Vol. 5, p. 201 (1866) Debenture Book, Vol. 2, p. 18 (1866)	

Entered by ______________ ______________

Debenture Clerk of Landed Estates Court.

No. 25. **£100.**

LAND DEBENTURE.

By virtue of "The Land Debentures (Ireland) Act, 1865," and upon the Application of *James Vincent* of *Merrion Square in the City of Dublin, Esquire,* Owner of the Lands of *Great Mantlehill* in the Barony of *Clanwilliam* and County of *Tipperary,* described in a Registered Certificate dated the *First* Day of *July last,* the Landed Estates Court of Ireland has hereby charged those Lands with this Debenture for the Sum of *One hundred* Pounds Sterling, to become due on the *First* Day of *July* One thousand eight hundred and *seventy-six,* with Interest in the meantime at the Rate of *Four* per Cent. per Annum, payable half-yearly on every First Day of January and First Day of July, the First Payment to be made on the First day of *January* next. Witness the Seal of the Court this *Tenth* Day of *August* One thousand eight hundred and *sixty-six.*

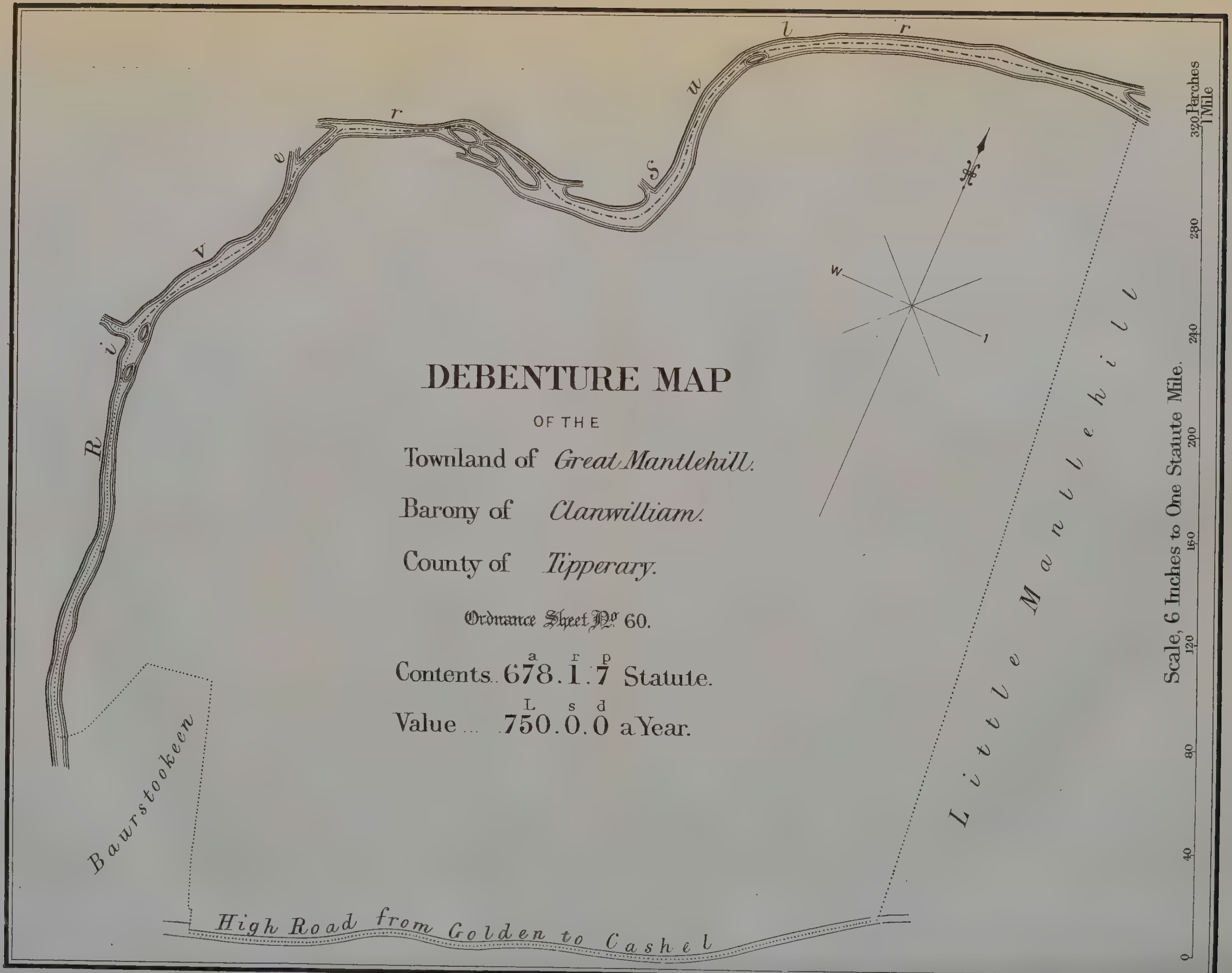
Seal.

MEMORANDUM OF TRANSFER.

The Landed Estates Court has hereby transferred the above Land Debenture to *James Vincent* of *Merrion Square in the City of Dublin, Esquire,* with Power to transfer the same. Witness the under-signed, this *Twenty-first* Day of *August* One thousand eight hundred and *sixty-six.*

Signed by a Judge of the Court ______________

Countersigned by - - ______________


DEBENTURE MAP
OF THE
Townland of Great Mantlehill.
Barony of Clanwilliam.
County of Tipperary.
Ordnance Sheet No. 60.
Contents. 678.1.7 Statute.
a r p
Value ... 750.0.0 a Year.
L s d
River Suir
Little Mantlehill
Baurstookeen
High Road from Golden to Cashel
W
I
Scale, 6 Inches to One Statute Mile.
0
40
80
120
160
200
240
280
320 Perches
1 Mile

land).

A

B I L L

For authorizing Transferable Debentures
to be charged upon Land in Ireland.

(Prepared and brought in by
Mr. Vincent Scully, Sir Colman O'Loghlen, and
Mr. Pollard-Urquhart.)

Ordered, by The House of Commons, *to be Printed,*
10 *February* 1865.

[Bill 9.]

Under 2 oz.

Land Debentures (Ireland) Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Preamble.
1. Extent of Act.
2. Short Title of Act.
3. Glossary.
4. Court may certify Land to be chargeable with Debentures.
5. Form of Land Certificate.
6. Entry and Registry of Certificate.
7. Owner of Land may issue Debentures with Sanction of Court.
8. Form and Effect of Debentures.
9. Transfer of Debentures.
10. Coupons.
11. Debentures on unincumbered Land.
12. Debentures on incumbered Land.
13. Priority of Debentures.
14. Debentures mutilated or injured.
15. Debentures destroyed or lost.
16. Limitation of Principal and Interest.
17. Debentures, Personal or Real Estate.
18. Debenture to be a Charge by way of Mortgage.
19. Payment into Court.
20. Trusts affecting Debentures.
21. When Interest due, Application may be made for Sale.
22. Option to be paid out of Sale.
23. Indemnity to Trustees as to Option.
24. When Debenture due, Application may be made for Sale.
25. On Consent, new Debentures may be issued.
26. Indemnity to Trustees as to Consent.
27. Owner of Debenture refusing new one may be paid off, and Debenture issued to fresh Holder.
28. If Owner of Land under Disability, Court may appoint Guardian.
29. Court may dismiss Proceedings on Payment.
30. Debenture Holder to have no Claim on Court or Public Funds.
31. Stamp Duties.
32. Court Fees.
33. Court may frame Forms and Rules.
34. General Powers.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Authorizing Transferable Debentures to be charged upon Land in Ireland.

Preamble.

WHEREAS it is expedient to authorize the Creation of Transferable Debentures to be charged upon Land in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extent of Act.

1. This Act shall extend and apply to Ireland only.

Short Title of Act.

2. In any Act of Parliament, Document, or Proceeding, this Act shall be sufficiently designated as "The Land Debentures (Ireland) Act, 1865."

GLOSSARY.

3. In the Construction of this Act, and of this Section thereof, the following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context requiring a different Construction:

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Authorizing Transferable Debentures to be charged upon Land in Ireland.

Preamble.

WHEREAS it is expedient to authorize the Creation of Transferable Debentures to be charged upon Land in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

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Short Title of Act.

2. In any Act of Parliament, Document, or Proceeding, this Act shall be sufficiently designated as "The Land Debentures (Ireland) Act, 1865."

GLOSSARY.

3. In the Construction of this Act, and of this Section thereof, the following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context requiring a different Construction:

"Court:" The Word "Court" means the Landed Estates Court of Ireland:

"Certificate:" The Word "Certificate" means a Certificate declaring Land chargeable with Debentures under this Act:

"Debenture:" The Word "Debenture" means a Debenture charged upon Land under this Act:

"Person:" The Word "Person" extends to and includes a Body Politic or Corporate, whether aggregate or sole, and any Company as well as a private Individual, and includes also the Assignees of any Bankrupt or Insolvent:

"Possession:" The Word "Possession" includes the Receipt of Rents and Profits:

"Land:" The Word "Land" includes and extends to Lands, Tenements, and Hereditaments held in Fee Simple or Fee-farm, also impropriate Rentcharges in lieu of Tithe, and other perpetual Rentcharges or Annuities and Fee-farm Rents issuing out of Land in Ireland, whether subject or not subject to any Incumbrance:

"Owner:" The Word "Owner," as applied to Land, means the Person or Persons entitled for his or their own Benefit, at Law or in Equity, in possession, to a Fee Simple, Fee-farm, or perpetual Interest in any Land as above defined:

"Incumbrance:" The Word "Incumbrance" means any legal or equitable Charge by Mortgage, Lien, Judgment, Decree, Rule, or Order, Crown Bond, Recognizance, Legacy, Portion, Trust, or otherwise, whereby any Sum of Money is secured upon or made payable out of any Land, and includes also any Easement, and any Rentcharge, Annuity, or other annual or periodical Charge or Payment, except only Quit and Crown Rents, Rentcharges in lieu of Tithe, and Charges imposed by any Act for the Drainage or Improvement of Land:

"Incumbrancer." And the Word "Incumbrancer" means any Person entitled to an Incumbrance, or to require the Payment, Discharge, or Benefit thereof.

Court may certify Land to be chargeable with Debentures.

4. It shall be lawful for the Owner of any Land to apply to the Court to have such Land declared chargeable with Debentures under this Act. Thereupon the Court shall investigate the Title to the Land, and its existing State and Circumstances. If upon such Investigation it appear proper to grant the Application, as to the whole or any Part of the Land, the Court shall certify to that Effect, in such Form as it may deem fit.

5. Every Certificate shall be made in Duplicate, and shall specify the Name and Description of the Land and of the Owner thereof, the Amount of Debentures with which it shall be chargeable, the Nature and Amount of any prior Incumbrances, and such other Matters or Particulars as the Court may consider it proper to state in such Certificate.

Form of Land Certificate.

6. One Duplicate of every Certificate shall be entered in the Books of the Court, and the Court shall cause the other Duplicate to be deposited in the Office for registering Deeds, Memorials, and Wills, where the same shall be forthwith registered in like Manner as if it were a Memorial of a Conveyance by the Owner of the Land, but no Affidavit of Execution or Perfection shall be required.

Entry and Registry of Certificate.

7. After the Entry and Registry of such Certificate it shall be lawful for the Owner of the Land described therein, at any Time and from Time to Time, to issue Debentures under this Act pursuant to such Certificate, on satisfying the Court that no just Rights of other Parties which have accrued since the Date of the Certificate will be injuriously affected thereby. The Sanction of the Court to the Issue of any Debenture shall be signified by its Common Seal, and also by the Signature of such Judge or Officer as the Court may by any General Order authorize for that Purpose. The Seal of the Court shall be conclusive Proof of the Validity of the Debenture to or upon which such Seal shall be affixed or impressed.

Owner of Land may issue Debentures with Sanction of Court.

8. A Debenture, when sealed by the Court, shall be well charged upon the Land described in the registered Certificate under which it is issued.

Form and Effect of Debentures.

All Debentures shall be in such Form as the Court may approve of; for such Sums of Money, bearing Interest at such Rate or Rates, or not bearing Interest, and payable or redeemable at such Time or Times, not being less than Six Months nor more than Ten Years from the Date of the Certificate, as to the Court may seem fit.

9. Before the sealing of any Debenture the Court shall cause an Entry thereof to be made in its Books. After the sealing of any Debenture the Owner of the Land charged therewith may transfer such Debenture, either by means of a Memorandum to that Effect entered in the Books of the Court, or by endorsing the Debenture. Every Transferee of a Debenture may also transfer it by means of a Memorandum in the Books of the Court, or by his own Endorsement. In each Case the Transfer shall be in such Form as the

Transfer of Debentures.

Court may approve of. It shall vest in the Person to whom it is made the Ownership of the Debenture, and all Rights of Action or Suit which the Transferor had at the Time of such Transfer.

Every Debenture which was originally transferred by the Owner of the Land through a Memorandum of Transfer entered in the Books of the Court shall thenceforth be transferable by a similar Memorandum only; and every Debenture originally transferred by an Endorsement of the Owner of the Land shall thenceforth be transferable by Endorsement only.

Coupons.

10. A Debenture may have annexed to it Coupons, entitling the Bearer to the Interest payable in respect thereof. The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Person paying the same of all Liability in respect of the Coupon and the Interest represented thereby.

Debentures on unincumbered Land.

11. In the Case of unincumbered Land no Debenture shall be charged for such a Principal Sum as, either solely or together with the Amount of the Principal Sum or Sums charged on the same Land by virtue of any other Debenture or Debentures, shall be more than Ten Times the Sum which may appear to the Court to be the yearly Value of such Land, having regard, amongst other Matters, to any Lease then affecting the same; nor shall there be reserved by any Debenture upon such unincumbered Land Interest of such annual Amount as, either solely or together with the annual Interest reserved and charged by any other Debenture or Debentures upon the same Land, shall exceed One Half of what may appear to the Court to be its yearly Value as aforesaid.

Debentures on incumbered Land.

12. If the Charge proposed to be created by Debenture is to be puisne or subject to any other Incumbrance the Court shall have regard thereto, and shall estimate such other Incumbrance at its full Value; and shall so limit the Debentures which it may think fit to issue, that their Amount shall be as amply secured as Debentures would be if charged on unincumbered Land to an Amount not exceeding Ten Times the yearly Value thereof.

Priority of Debentures.

13. Debentures upon any Land shall be puisne and subject to the several Incumbrances specified or referred to in the registered Certificate; also to Quit or Crown Rents, to Rentcharges in lieu of Tithe, and to Charges imposed by any Act heretofore made for the Drainage or Improvement of Land. With those Exceptions, all Debentures charged upon any Land shall be the First Incumbrances thereon. Where there shall be more than One Debenture charged on the same Land there shall be no Priority as between the several Debentures, notwithstanding any Priority in the Date or Number thereof.

Debentures mutilated or injured.

14. In case any Debenture shall be given up to the Court in a mutilated or injured State, it shall be lawful for the Court to cancel such Debenture, and to sanction the Issue in its place of a new Debenture, on such Terms and the Payment of such Fees as the Court may consider just.

Debentures destroyed or lost.

15. In case it shall be proved to the Satisfaction of the Court that any Debenture was destroyed or lost, it shall be lawful for the Court to sanction the Issue in its place of a Duplicate Debenture, marked as such, on such Terms and the Payment of such Fees as the Court may consider just; but without Prejudice to the Rights of any Holder of the original Debenture, by whom it may afterwards be actually produced. Such Duplicate Debenture shall be transferable by Entry only in the Books of the Court.

Limitation of Principal and Interest.

16. Every Debenture shall be deemed a Sum of Money charged upon Land within the Meaning of Sections Forty and Forty-two of the Act of the Third and Fourth Years of the Reign of King William the Fourth, Chapter Twenty-seven, intituled "An Act for the "Limitation of Actions and Suits relating to Real Property, and "for simplifying the Remedies for trying the Rights thereof," and shall be subject to the Periods of Limitation prescribed by those Sections as to Principal and Interest respectively.

Debentures, Personal or Real Estate.

17. Every Debenture, when vested in any Person other than the Owner of the Land charged therewith, shall be deemed Personal Estate; and when vested in the Owner of the Land, shall be deemed Real Estate.

Debenture to be a Charge by way of Mortgage.

18. A Debenture shall be deemed to be a Charge by way of Mortgage, and the Money payable under a Debenture or Mortgage Debt within the Operation of the Act passed in the Seventeenth and Eighteenth Years of the Queen, intituled "An Act "to amend the Law relating to the Administration of the Estates "of deceased Persons."

Payment into Court.

19. On the Application of the Owner of the Land charged with any Debenture, and on being satisfied by Affidavit or otherwise that the Principal Money has remained unpaid for Thirty Days by reason of Failure on the Part of the Debenture Holder to receive Payment, or that there is other proper Ground for the Application, the Court may, if and on such Terms as it shall think fit, order that the Applicant be at liberty, within Seven Days or such other Time as it shall consider reasonable, to pay the Principal due and the Interest up to the Date of such Payment into the Bank of Ireland, to the Account of such Matter as the Court may direct, with the Name of the Owner of the Land, but in trust to attend the Orders of the Court.

The Payment of the Money into Bank pursuant to such Order shall, as regards the Owner of the Land, be deemed a Payment by him to the Holder of the Debenture.

Trusts affecting Debentures.

20. The Land charged, or the Owner thereof, shall not be affected by any Trust affecting a Debenture, or by any Notice whatever of such Trust; but the Party entitled to the Benefit of such Trust may nevertheless proceed to establish the same as against the Holder of the Debenture.

When Interest due, Application may be made for Sale.

21. The Owner of any Debenture to whom any Interest shall remain due for the Term of One Month after the Time appointed for the Payment thereof shall be at liberty to apply to the Court for a Sale of the Land charged with such Debenture.

Option to be paid out of Sale.

22. The Court shall thereupon give to the Holder of every Debenture the Option either to have the Sum due for Principal and Interest on his Debenture paid out of the Proceeds of the Sale, according to the Priority of his Demand, or to have the Interest only paid, and to permit the Principal to remain a Charge on the unsold Lands until the Time appointed by the Debenture for Payment of the Principal.

Indemnity to Trustees as to Option.

23. If the Owner of any over-due Debenture shall be a Trustee, he shall not be deemed guilty of a Breach of Trust, nor be accountable of the Manner in which he may exercise such Option.

When Debenture due, Application may be made for Sale.

24. The Owner of any Debenture which shall remain unpaid at the Time appointed by such Debenture for Payment of the Principal thereof may apply to the Court for a Sale of the Land charged therewith.

On Consent, new Debenture may be issued.

25. In case the Owner of any Debenture, and the Owner of the Land charged therewith, shall so consent, it shall be lawful for the Court to sanction the Issue of a new Debenture in place of such over-due Debenture, which new Debenture shall bear such Interest and shall be payable at such Time as shall be therein expressed.

Indemnity to Trustees as to Consent.

26. If the Owner of any over-due Debenture shall be a Trustee, he shall not be deemed guilty of a Breach of Trust by reason of his giving or withholding his Consent to the Acceptance of such new Debenture.

Owner of Debenture refusing new one, may be paid off, and Debenture issued to fresh Holder.

27. In case the Owner of any over-due Debenture shall refuse to accept a new Debenture in lieu thereof, the Owner of the Land charged therewith may pay off the same, and apply to the Court to sanction the Issue of a new Debenture in lieu thereof.

If Owner of Land under Disability, Court may appoint Guardian.

28. If the Owner of any Land shall be under any Disability, the Court may appoint a Guardian ad litem for such Owner; and the Consent and Directions of such Guardian shall have the same Effect as if the Owner had been under no Disability, and had given such Consent or Directions.

Court may dismiss Proceedings on Payment.

29. The Court shall have Authority to dismiss any Proceeding upon Payment of Interest and Costs, or on such further or other Terms as it may deem equitable.

Debenture Holder to have no Claim on Court or Public Funds.

30. Under no Circumstances shall the Holder of a Debenture have any Claim whatever upon the Court, or upon any Judge or Officer thereof, or upon the Public Funds, in respect of any Mistake or Omission relating to the Value, Quality, or Title of or to the Estate, or otherwise howsoever.

Stamp Duties.

31. *Within the Meaning of the several Acts in force relating to Stamps, a Certificate under this Act shall be deemed to be a Deed not specifically charged nor expressly exempted. A Debenture shall be deemed to be a Mortgage made as a Security for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage.*

Upon the Occasion of any Transfer, adhesive Stamps for the proper Amount of Duty may be used, provided they are duly cancelled in like Manner as ordinary Receipt Stamps are required to be cancelled by the Stamp Acts relating thereto.

Court Fees.

32. In addition to the Stamp Duty payable in respect of each Debenture, the Owner of the Land charged therewith shall pay such Fees as the Court may by any General Order direct, not exceeding the Rate of *Two Shillings and Sixpence* for every Hundred Pounds charged by way of Debenture.

Court may frame Forms and Rules.

33. The Court may frame and promulgate all such Forms, Rules, and Directions as it shall consider requisite or expedient for the

Assistance and Guidance of Persons acting under this Act; for annulling Certificates; for regulating the Transfer of Debentures; for calling in or cancelling Debentures, and for the Issue of others, in case of Forgery, Abstraction, Destruction, Defacement, or other like Inconvenience; for the giving of Notices; and generally for facilitating or regulating the Course of Procedure, or giving effect to the Purposes and Provisions of this Act.

General Powers.

34. The Court shall also have the same or the like Powers and Authorities for the Purposes of this Act as it has for those of the Act or Acts of Parliament under which it is at present constituted, as well in relation to the Appointment or Removal and to the Salaries of necessary Officers, as also to the making of General Orders, the Conduct or Costs of Proceedings, the Production of Documents or Examination of Witnesses, and to any other Matter requisite for effecting the Objects of this Act.

Land Debentures (Ireland).

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

For authorizing Transferable Debentures to be charged upon Land in Ireland.

(Prepared and brought in by Mr. Vincent Scully, Sir Colman O'Loghlen, and Mr. Pollard-Urquhart.)

Ordered, by The House of Commons, *to be Printed*,
20 *March* 1865.

[Bill 80.]

Under 2 oz.

Land Debentures (Ireland) Bill.

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT.]

ARRANGEMENT OF CLAUSES.

Preamble.
1. Extent of Act.
2. Short Title of Act.
3. Glossary.
4. Court may certify Land to be chargeable with Debentures.
5. Form of Land Certificate.
6. Entry and Registry of Certificate.
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BILL

[AS AMENDED BY THE SELECT COMMITTEE
AND ON RE-COMMITMENT]

FOR

Authorizing Transferable Debentures to be charged upon Land in Ireland.

WHEREAS it is expedient to authorize the Creation of Transferable Debentures to be charged upon Land in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act shall extend and apply to Ireland only. Extent of Act.

2. In any Act of Parliament, Document, or Proceeding, this Act shall be sufficiently designated as "The Land Debentures (Ireland) Act, 1865." Short Title of Act.

3. In the Construction of this Act, and of this Section thereof, the following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context requiring a different Construction: GLOSSARY.

"Court:" The Word "Court" means the Landed Estates Court of Ireland:

"Certificate:" The Word "Certificate" means a Certificate declaring Land chargeable with Debentures under this Act:

"Debenture:" The Word "Debenture" means a Debenture charged upon Land under this Act:

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"Land:" The Word "Land" includes and extends to Lands, Tenements, and Hereditaments held in Fee Simple or Fee-farm, also impropriate Rentcharges in lieu of Tithe, and other perpetual Rentcharges or Annuities and Fee-farm Rents issuing out of Land in Ireland, whether subject or not subject to any Incumbrance:

"Owner:" The Word "Owner," as applied to Land, means the Person or Persons entitled for his or their own Benefit, at Law or in Equity, in possession, to a Fee Simple, Fee-farm, or perpetual Interest in any Land as above defined:

"Incumbrance:" The Word "Incumbrance" means any legal or equitable Charge by Mortgage, Lien, Judgment, Decree, Rule, or Order, Crown Bond, Recognizance, Legacy, Portion, Trust, or otherwise, whereby any Sum of Money is secured upon or made payable out of any Land, and includes also any Easement, and any Rentcharge, Annuity, or other annual or periodical Charge or Payment, except only Quit and Crown Rents, Rentcharges in lieu of Tithe, and Charges imposed by any Act for the Drainage or Improvement of Land:

"Incumbrancer." And the Word "Incumbrancer" means any Person entitled to an Incumbrance, or to require the Payment, Discharge, or Benefit thereof.

Court may certify Land to be chargeable with Debentures.

4. It shall be lawful for the Owner of any Land to apply to the Court to have such Land declared chargeable with Debentures under this Act. Thereupon the Court shall investigate the Title to the Land, and its existing State and Circumstances. If upon such Investigation it appear proper to grant the Application, as to the whole or any Part of the Land, the Court shall certify to that Effect, in such Form as it may deem fit.

5. Every Certificate shall be made in Duplicate, and shall specify the Name and Description of the Land and of the Owner thereof, the Amount of Debentures with which it shall be chargeable, the Nature and Amount of any prior Incumbrances, and such other Matters or Particulars as the Court may consider it proper to state in such Certificate.

Form of Land Certificate.

6. One Duplicate of every Certificate shall be entered in the Books of the Court, and the Court shall cause the other Duplicate to be deposited in the Office for registering Deeds, Memorials, and Wills, where the same shall be forthwith registered in like Manner as if it were a Memorial of a Conveyance by the Owner of the Land, but no Affidavit of Execution or Perfection shall be required.

Entry and Registry of Certificate.

7. After the Entry and Registry of such Certificate it shall be lawful for the Owner of the Land described therein, at any Time and from Time to Time, to issue Debentures under this Act pursuant to such Certificate, on satisfying the Court that no just Rights of other Parties which have accrued since the Date of the Certificate will be injuriously affected thereby. The Sanction of the Court to the Issue of any Debenture shall be signified in such Manner as the Court may by any General Order authorize for that Purpose.

Owner of Land may issue Debentures with Sanction of Court.

8. A Debenture, when issued under the Sanction of the Court, shall be well charged upon the Land described in the registered Certificate under which it is issued.

All Debentures shall be in such Form as the Court may approve of; for such Sums of Money, bearing Interest at such Rate or Rates, or not bearing Interest, and payable or redeemable at such Time or Times, not being less than Six Months nor more than Ten Years from the Date of the Certificate, as to the Court may seem fit.

Form and Effect of Debentures.

9. Before the sealing of any Debenture the Court shall cause an Entry thereof to be made in its Books. After the sealing of any Debenture the Owner of the Land charged therewith may transfer such Debenture, by means of a Memorandum to that Effect entered in the Books of the Court. Every Transferee of a Debenture may also transfer it by means of a Memorandum in the Books of the Court. The Transfer shall be in such Form as the Court may approve of. It shall vest in the Person to whom it is made the Ownership of the Debenture, and all Rights of Action or Suit which the Transferor had at the Time of such Transfer.

Transfer of Debentures.

Coupons.

10. A Debenture may have annexed to it Coupons, entitling the Bearer to the Interest payable in respect thereof. The Payment to the Bearer of any Coupon of the Amount expressed therein shall be a full Discharge to the Person paying the same of all Liability in respect of the Coupon and the Interest represented thereby.

Debentures on unincumbered Land.

11. In the Case of unincumbered Land no Debenture shall be charged for such a Principal Sum as, either solely or together with the Amount of the Principal Sum or Sums charged on the same Land by virtue of any other Debenture or Debentures, shall be more than Ten Times the Sum which may appear to the Court to be the yearly Value of such Land, not exceeding, in any Case, the Value fixed by the Public Valuation of Lands in Ireland, having regard, amongst other Matters, to any Lease then affecting the same; nor shall there be reserved by any Debenture upon such unincumbered Land Interest of such annual Amount as, either solely or together with the annual Interest reserved and charged by any other Debenture or Debentures upon the same Land, shall exceed One Half of what may appear to the Court to be its yearly Value as aforesaid.

Debentures on incumbered Land.

12. If the Charge proposed to be created by Debenture is to be puisne or subject to any other Incumbrance the Court shall have regard thereto, and shall estimate such other Incumbrance at its full Value; and shall so limit the Debentures which it may think fit to issue, that their Amount shall be as amply secured as Debentures would be if charged on unincumbered Land to an Amount not exceeding Ten Times the yearly Value thereof.

Priority of Debentures.

13. Debentures upon any Land shall be puisne and subject to the several Incumbrances specified or referred to in the registered Certificate; also to Quit or Crown Rents, to Rentcharges in lieu of Tithe, and to Charges imposed by any Act heretofore made for the Drainage or Improvement of Land. With those Exceptions, all Debentures charged upon any Land shall be the First Incumbrances thereon. Where there shall be more than One Debenture charged on the same Land there shall be no Priority as between the several Debentures, notwithstanding any Priority in the Date or Number thereof.

Debentures mutilated or injured.

14. In case any Debenture shall be given up to the Court in a mutilated or injured State, it shall be lawful for the Court to cancel such Debenture, and to sanction the Issue in its place of a new Debenture, on such Terms and the Payment of such Fees as the Court may consider just.

15. In case it shall be proved to the Satisfaction of the Court that any Debenture was destroyed or lost, it shall be lawful for the Court to sanction the Issue in its place of a Duplicate Debenture, marked as such, on such Terms and the Payment of such Fees as the Court may consider just; but without Prejudice to the Rights of any Holder of the original Debenture, by whom it may afterwards be actually produced. Such Duplicate Debenture shall be transferable by Entry only in the Books of the Court.

Debentures destroyed or lost.

16. Every Debenture shall be deemed a Sum of Money charged upon Land within the Meaning of Sections Forty and Forty-two of the Act of the Third and Fourth Years of the Reign of King William the Fourth, Chapter Twenty-seven, intituled "An Act for the "Limitation of Actions and Suits relating to Real Property, and "for simplifying the Remedies for trying the Rights thereof," and shall be subject to the Periods of Limitation prescribed by those Sections as to Principal and Interest respectively.

Limitation of Principal and Interest.

17. Every Debenture, when vested in any Person other than the Owner of the Land charged therewith, shall be deemed Personal Estate; and when vested in the Owner of the Land, shall be deemed Real Estate.

Debentures, Personal or Real Estate.

18. A Debenture shall be deemed to be a Charge by way of Mortgage, and the Money payable under a Debenture or Mortgage Debt within the Operation of the Act passed in the Seventeenth and Eighteenth Years of the Queen, intituled "An Act "to amend the Law relating to the Administration of the Estates "of deceased Persons."

Debenture to be a Charge by way of Mortgage.

19. On the Application of the Owner of the Land charged with any Debenture, and on being satisfied by Affidavit or otherwise that the Principal Money has remained unpaid for Thirty Days by reason of Failure on the Part of the Debenture Holder to receive Payment, or that there is other proper Ground for the Application, the Court may, if and on such Terms as it shall think fit, order that the Applicant be at liberty, within Seven Days or such other Time as it shall consider reasonable, to pay the Principal due and the Interest up to the Date of such Payment into the Bank of Ireland, to the Account of such Matter as the Court may direct, with the Name of the Owner of the Land, but in trust to attend the Orders of the Court.

Payment into Court.

The Payment of the Money into Bank pursuant to such Order shall, as regards the Owner of the Land, be deemed a Payment by him to the Holder of the Debenture.

Trusts affecting Debentures.

20. The Land charged, or the Owner thereof, shall not be affected by any Trust affecting a Debenture, or by any Notice whatever of such Trust; but the Party entitled to the Benefit of such Trust may nevertheless proceed to establish the same as against the Holder of the Debenture.

When Interest due, Application may be made for Sale.

21. The Owner of any Debenture to whom any Interest shall remain due for the Term of One Month after the Time appointed for the Payment thereof shall be at liberty to apply to the Court for a Sale of the Land charged with such Debenture.

Option to be paid out of Sale.

22. The Court shall thereupon give to the Holder of every Debenture the Option either to have the Sum due for Principal and Interest on his Debenture paid out of the Proceeds of the Sale, according to the Priority of his Demand, or to have the Interest only paid, and to permit the Principal to remain a Charge on the unsold Lands until the Time appointed by the Debenture for Payment of the Principal.

Indemnity to Trustees as to Option.

23. If the Owner of any over-due Debenture shall be a Trustee, he shall not be deemed guilty of a Breach of Trust, nor be accountable of the Manner in which he may exercise such Option.

When Debenture due, Application may be made for Sale.

24. The Owner of any Debenture which shall remain unpaid at the Time appointed by such Debenture for Payment of the Principal thereof may apply to the Court for a Sale of the Land charged therewith.

On Consent, new Debenture may be issued.

25. In case the Owner of any Debenture, and the Owner of the Land charged therewith, shall so consent, it shall be lawful for the Court to sanction the Issue of a new Debenture in place of such over-due Debenture, which new Debenture shall bear such Interest and shall be payable at such Time as shall be therein expressed.

Indemnity to Trustees as to Consent.

26. If the Owner of any over-due Debenture shall be a Trustee, he shall not be deemed guilty of a Breach of Trust by reason of his giving or withholding his Consent to the Acceptance of such new Debenture.

Owner of Debenture refusing new one, may be paid off, and Debenture issued to fresh Holder.

27. In case the Owner of any over-due Debenture shall refuse to accept a new Debenture in lieu thereof, the Owner of the Land charged therewith may pay off the same, and apply to the Court to sanction the Issue of a new Debenture in lieu thereof.

If Owner of Land under Disability, Court may appoint Guardian.

28. If the Owner of any Land shall be under any Disability, the Court may appoint a Guardian ad litem for such Owner; and the Consent and Directions of such Guardian shall have the same Effect as if the Owner had been under no Disability, and had given such Consent or Directions.

Court may dismiss Proceedings on Payment.

29. The Court shall have Authority to dismiss any Proceeding upon Payment of Interest and Costs, or on such further or other Terms as it may deem equitable.

Debenture Holder to have no Claim on Court or Public Funds.

30. Under no Circumstances shall the Holder of a Debenture have any Claim whatever upon the Court, or upon any Public Funds, in respect of any Mistake or Omission relating to the Value, Quality, or Title of or to the Estate, or otherwise howsoever.

Stamp Duties.

31. Within the Meaning of the several Acts in force relating to Stamps, a Certificate under this Act shall be deemed to be a Deed not specifically charged nor expressly exempted. A Debenture shall be deemed to be a Mortgage made as a Security for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage.

Provided that no Debenture shall be transferred by means of a Memorandum in the Books of the Court until it shall have been stamped with the Amount of Stamp Duty applicable in the Case of Mortgages given by Public Companies, as mentioned in the Fourteenth Section of the Act of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Fifty-nine.

Court may frame Forms and Rules.

32. The Court may frame and promulgate all such Forms, Rules, and Directions as it shall consider requisite or expedient for the Assistance and Guidance of Persons acting under this Act; for annulling Certificates; for regulating the Transfer of Debentures; for calling in or cancelling Debentures, and for the Issue of others, in case of Forgery, Abstraction, Destruction, Defacement, or other like Inconvenience; for the giving of Notices; and generally for facilitating or regulating the Course of Procedure, or giving effect to the Purposes and Provisions of this Act.

General Powers.

33. The Court shall also have the same or the like Powers and Authorities for the Purposes of this Act as it has for those of the Act or Acts of Parliament under which it is at present constituted, as well in relation to the Appointment or Removal and to the Salaries of necessary Officers, as also to the making of General Orders, the Conduct or Costs of Proceedings, the Production of Documents or Examination of Witnesses, and to any other Matter requisite for effecting the Objects of this Act.

Land Debentures (Ireland).

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE
AND ON RE-COMMITMENT]

For authorizing Transferable Debentures
to be charged upon Land in Ireland.

(*Prepared and brought in by*
Mr. Vincent Scully, Sir Colman O'Loghlen, and
Mr. Pollard-Urquhart.)

Ordered, by The House of Commons, *to be Printed*,
27 *Apirl* 1865.

[Bill 121.]

Under 2 oz.

LORDS AMENDMENTS

TO THE

LAND DEBENTURES (IRELAND) BILL.

Note.—*The Page and Line refer to the Bill* (113.) *as printed by the Lords.*

Page 1.

Line 7. Leave out (“ extend and ”)

Page 2.

Line 17. After (“ Incumbrance ”) insert (“ the Words ‘recorded
“ Land’ mean any Land the Title to which shall be recorded
“ under the Record of Title Act (Ireland), 1865 ”)

Line 18. After (“ Land ”) insert (“ or recorded Land ”)

Line 21. After (“ Land ”) insert (“ or recorded Land ”)

Line 34. After (“ any ”) insert (“ recorded ”)

Line 39. After (“ effect ”) insert (“ and shall cause an Entry of
“ such Certificate to be made in its Books ”)

Page 3.

Leave out Clauses 5. and 6.

Line 13. Leave out (“ and Registry ”)

Line 23. Leave out (“ registered ”)

At End of Clause 9. add (“ every Debenture shall be for a Sum
“ of not less than Fifty Pounds, and shall specify the Place where
“ the Principal and Interest shall be payable ”)

Page 4.

Line 27. Leave out (“ registered ”)

Page 6.

Line 19. Leave out (“ of ”) and insert (“ for ”)

LORDS AMENDMENTS

TO THE

LAND DEBENTURES (IRELAND) BILL.

Ordered, by The House of Commons, *to be Printed,*
28 *June* 1865.

[Bill 249.]

Under 1 *oz.*

A

BILL

TO

Confirm a Provisional Order under "The Land Drainage Act, 1861."

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Land Drainage Act, 1861," duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any Validity whatever until such Order shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble. 24 & 25 Vict. c. 133.

1. That the Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after *the passing of this Act* shall be deemed to be a Public General Act of Parliament of the like Force and Effect as if the Provisions of the same had been enacted in the Body of this Act.

Provisional Order in Schedule confirmed.

2. This Act may be cited for all Purposes as "The Land Drainage Supplemental Act, 1865."

Short Title.

SCHEDULE to which this Act refers.

In the Matter of Chedzoy Improvement, situate in the several Parishes of Westonzoyland, Chedzoy, Bridgwater, Woolavington, North Petherton, and Middlezoy, in the County of Somerset.

We, the Inclosure Commissioners for England and Wales, in pursuance of the power given to us by "The Land Drainage Act, 1861," do, by this Provisional Order under our seal, constitute the lands which are delineated on a map authenticated under our hands and seal as the map referred to in this Provisional Order, and intituled the Chedzoy Separate Drainage District Map, and a copy of which is deposited in the Inclosure Office, a Separate Drainage District under the said Act.

And we do further, by this our Provisional Order, make the following regulations with respect to the Drainage Board:—

That the Drainage Board for the said District shall consist of eleven members.

That the following persons shall be the members of the first Drainage Board:—Richard Hook, of Westonzoyland, gentleman; James Mountstevens, of Westonzoyland, yeoman; Charles Bulpin, of Westonzoyland, yeoman; Benjamin Tazewell, of Chedzoy, yeoman; James Turner, of Lyng, yeoman; James Ling and John Ling, both of Westonzoyland, yeoman; Thomas Baker, of Othery, gentleman; William Chapman, of Westonzoyland, yeoman; Rdward Fry, of Chedzoy, yeoman; and F. B. Uttermore, of Langport, Esquire.

That the first Meeting of the said Board shall be summoned by notice under the hands of any two or more of the said Board, published in some newspaper generally circulated in the District, and posted on the Church doors of the above-mentioned parishes at least fourteen days before the day of Meeting.

That the qualification of any subsequent Member of the said Board shall be, that he shall be the proprietor of not less than twenty acres of land within the area of the said District; or secondly, the heir apparent of the proprietor of an estate of not less than twenty acres in extent within the area of the said District; or thirdly, occupying tenant, yearly or otherwise, of not less than thirty acres within the area of the said District; or fourthly, the agent of a proprietor of an estate of not less than twenty acres of land within the area of the said District; such agent acting under a written appointment.

That the Members of the first Board shall vacate their offices on the first Thursday in September in the year following that in which this Provisional Order shall be confirmed by Parliament.

That the Electors for Members of the Drainage Board shall be the persons who have, during the year immediately preceding such Election, been rated to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the time of such Election.

In witness whereof, we have hereunto set our Official Seal this Second day of February One thousand eight hundred and sixty-five.

L.S.

Land Drainage
Supplemental.

A

BILL

To confirm a Provisional Order under "The Land Drainage Act, 1861."

(*Prepared and brought in by*
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
7 *April* 1865.

[Bill 110.]

Under 1 *oz.*

A

BILL

FOR

The further Amendment of the Law of Evidence and the Practice in certain Courts of Justice.

WHEREAS it is expedient for the better Administration of Justice that further Amendment should be made in the Law of Evidence and in the Practice of certain Courts of Justice: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.

1. On the Trial of any Action or other Proceeding for Breach of Promise of Marriage the Parties thereto shall be competent and compellable to give Evidence on behalf of either or any of the Parties to such Action or Proceeding.

Parties to Action for Breach of Promise of Marriage to be admissible as Witnesses.

2. On the Trial of any Issue of Fact, or of any Matter or Question, or on any Inquiry arising in any Suit or other Proceeding instituted in consequence of Adultery, any Party thereto shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on his or her own Behalf; and the Husband or Wife of any such Party as aforesaid shall be allowed, if he or she shall so think

Parties to any Suit instituted in consequence of Adultery may offer themselves as Witnesses on their own Behalf.

think fit, to offer himself or herself as a Witness on her or his Behalf respectively.

Any Person on Trial for Treason, Felony, or Misdemeanor may offer himself as a Witness on his own Behalf.

3. Upon the Trial of any Indictment, Information, or Inquisition, and upon any Impeachment, whether for Treason or other Felony or Misdemeanor, the Prisoner or Defendant shall be allowed, if he shall so think fit, to offer himself as a Witness on his own Behalf; and the Husband or Wife of any such Prisoner or Defendant as aforesaid shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on her or his Behalf respectively.

Any Person charged with Offence punishable on summary Conviction may offer himself as a Witness on his own Behalf.

4. On the Hearing before Justices of the Peace of any Information for any Offence or Act punishable on summary Conviction, the Person charged with the Commission of such Offence or Act shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on his or her own Behalf; and the Husband or Wife of any such Person charged as aforesaid shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on her or his Behalf respectively.

Such Persons to be sworn, and subject to Cross-examination.

5. Any Person offering himself or herself as a Witness as aforesaid shall be competent and admitted to give Evidence, either vivâ voce or by Deposition, according to the Practice of the Court, and shall be examined, and subject to Cross-examination, in like Manner in all respects as any other Witness called in or upon any such Suit or Proceeding, Civil or Criminal, as aforesaid.

On Trial for Felony or Misdemeanor, Counsel for Prosecution, and Prisoner or his Counsel to be allowed to Sum up in certain Cases.

6. Upon any Trial for Felony or Misdemeanor the Counsel for the Prosecution, at the Close of the Case for the Prosecution, in the event of the Prisoner or Defendant or his Counsel not announcing his Intention to adduce Evidence, shall be entitled to address the Jury a Second Time for the Purpose of summing up the Evidence; and the Prisoner or Defendant, or his Counsel, shall be allowed to open his Case, and also to sum up the Evidence (if any); and the Right of Reply shall be the same as at present.

Special Juries allowed for the Trial of Indictments in certain Cases.

7. Where an Indictment for Felony or Misdemeanor has been found at the Central Criminal Court, or at any Court of Oyer and Terminer and General Gaol Delivery, it shall be lawful for such Court, or for any of the Superior Courts of Common Law at Westminster, or any Judge of such Superior Courts, on the Application of the Prosecutor or of the Person charged by such Indictment, to make a Rule or Order for the Trial of such Indictment by a Special Jury, and to make all such Rules and Orders upon the Sheriff or any other Person for procuring the Attendance of a Special Jury for the Trial of such Indictment as may be made by any of the Superior Courts of Westminster for procuring the Attendance of a Special Jury for the Trial of any Cause in any of such Courts; and every such Special Jury for the Trial of an Indictment shall consist of Persons possessing the Qualifications, and shall be struck, summoned, and called in like Manner, as if such Special Jury were a Special Jury for the Trial of any Cause in any of the said Superior Courts; and every Juryman so summoned shall be entitled to the same Rights and subject to the same Duties and Liabilities as if he had been summoned as a Special Juryman for the Trial of any Cause as aforesaid: Provided always, that when any Court or Judge orders a Special Jury for the Trial of an Indictment as aforesaid, such Court or Judge may also order such Trial to be postponed, for the Purpose of procuring the Attendance of such Special Jury.

Any Court of Justice may refer Questions of Legitimacy, or of Right to be considered British Subjects, to a Jury.

8. In any Proceeding in any Court of Justice in which the Legitimacy of any Party, or the Claim of any Party to be declared or held to be a Subject of Her Majesty, shall be in question, it shall be lawful for any Party before the Court to pray by Motion or otherwise that such Question, or the Case in which such Question arises, shall be tried by a Jury, and thereupon the Court shall order that such Question, or the Case in which such Question arises, shall be tried by a Jury accordingly.

Law of Evidence, &c.

A

B I L L

For the further Amendment of the Laws of Evidence and the Practice in certain Courts of Justice.

(*Prepared and brought in by*
Sir Fitzroy Kelly, Mr. Macaulay, and
Mr. M'Mahon.)

Ordered, by The House of Commons, *to be Printed,*
14 *February* 1865.

[Bill 20.]

Under 1 *oz.*

Libel Bill.

ARRANGEMENT OF CLAUSES.

As to Criminal Proceedings for Libel.

Restriction as to proceeding by Indictment for a Libel; Sect. 1.

Defendant to be a competent Witness in Criminal Proceedings for a Libel; 2.

As to Civil Proceedings for a Libel.

Newspaper not to be liable to an Action for Libel for Reports of Speeches at Public Meetings; 3.

Belief of the Truth of a Libel to be a Defence in certain Cases; 4.

Allowing Money to be paid into Court in all Actions for Libel; 5.

As to Costs in Actions for Libel; 6.

General Provisions as to Civil and Criminal Proceedings in Libel.

Speakers at Public Meetings to be liable to be prosecuted or sued for defamatory Matter spoken by them; 7.

Not to affect the Privilege of Parliament or other public Bodies; 8.

Short Form of pleading the Truth of Libel; 9.

Act not to extend to Scotland; 10.

A

BILL

TO

Amend the Law of Libel, and for more effectually securing the Liberty of the Press.

WHEREAS it is expedient to amend the Law of Libel, and to secure more effectually the Liberty of the Press: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.

As to Criminal Proceedings for Libel.

1. It shall not be lawful for a private Prosecutor, without the Sanction of Her Majesty's Attorney General, or, in case that Office be vacant, of Her Majesty's Solicitor General, to prefer an Indictment for the Publication of any defamatory Libel, other than a Libel published with Intent to extort any Money or Security for Money, or any valuable Thing, from such private Prosecutor or any other Person, or with Intent to induce such private Prosecutor or any other Person to confer or procure for any Person any Appointment or Office of Profit or Trust.

Without the Sanction of the Law Officer of the Crown, no private Prosecutor shall be at liberty to prefer an Indictment for any Libel, other than a Libel published with Intent to extort.

2. On the Trial of any Indictment or Information for a defamatory Libel, the Defendant shall be allowed, if he or she shall so think fit, to

The Defendant on a Trial of an Indictment or

Information for Libel may offer himself as a Witness, and so may the Defendant's Wife or Husband.

to offer himself or herself as a Witness on his or her Behalf, and the Husband or Wife of such Defendant shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on behalf of the Defendant.

As to Civil Proceedings for Libel.

No Proprietor of a Newspaper or periodical Publication shall be liable to an Action for a faithful Report of a Speech at a Public Meeting, unless he shall decline to publish a fair Reply to the Speech complained of.

3. In any Action for an alleged Libel in any public Newspaper or periodical Publication, Proof that the alleged Libel was a true Report of a Speech or Part of a Speech spoken at any Public Meeting lawfully assembled for a lawful Purpose, open to Reporters for the Press, and that the said Report was published in the said public Newspaper or other periodical Publication bonâ fide without actual Malice, and in the ordinary Course of Business, shall amount to a Defence, unless it shall be proved that the Defendant declined or omitted, if required so to do, to publish in his said public Newspaper or other periodical Publication, and in a Portion of the same as conspicuous as that in which the said alleged Libel was published, an Explanation or Contradiction of the said alleged Libel, of not unreasonable Length, immediately after such Contradiction or Explanation shall have been furnished to the said Defendant by or on behalf of the Party complaining of the said alleged Libel.

To an Action for a published Libel it shall be a Defence that the Defendant believed the Libel to be true, and that he published the same for a lawful object, or as a fair Comment, unless the Libel has caused or is likely to cause actual Damage to the Plaintiff.

4. In any Action for an alleged Libel in any Publication, Proof that the Defendant believed the alleged Libel to be true, and that the same was published without any defamatory Intent and with a lawful Object, or, bonâ fide as a fair Comment on a Matter in which the Public were interested, shall amount to a Defence, unless the Plaintiff shall prove that he has sustained actual Loss or Damage by the Publication of the said alleged Libel, or unless the Jury at the Trial shall be of opinion that the alleged Libel is such as is fairly calculated to cause actual Loss or Damage to the Plaintiff by its Publication.

In all Actions for Libel the Defendant shall be at liberty to pay Money into Court.

5. In all Actions for Libel the Defendant shall be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court shall be of the same Effect, and available in the same Manner to the same Extent and, and shall be subject to the same Rules and Regulations, as Payment of Money into Court is now available and subjected in other Personal Actions.

In Cases where the Damages are under 20*s.* the Defendant

6. In all Actions for Libel where the Jury shall give Damages not exceeding *Twenty Shillings* the Defendant shall be entitled to his Costs as if the Verdict had passed for him or her, and unless the

Jury shall give Damages exceeding *Forty Shillings* the Plaintiff shall not be entitled to more Costs than Damages.

shall get his Costs, and to carry Costs for the Plaintiff the Damages must be over 40*s*.

General Provisions as to both Civil and Criminal Proceedings for Libel.

7. Any Person who shall speak at a Public Meeting lawfully assembled for a lawful Purpose, open to Reporters of the Press, any defamatory Matter of any other Person, which, if written, would amount to a Libel, shall be liable if the same shall be reported in any public Newspaper or periodical Publication, to be proceeded against by Indictment, Information, or Action in the same Manner and to the same Extent as if he had published the same; and on such Indictment or Information, or in such Action, the Proceedings shall be in all respects the same as to Defences, Pleadings, and Costs as if the defamatory Libel complained of had been published by the Defendant.

A Speaker at a Public Meeting may be proceeded against civilly or criminally for defamatory Matter spoken by him at such Meeting.

8. Nothing herein contained shall be deemed or taken, held or construed, directly or indirectly, by Interpretation or otherwise, to affect the Privilege of Parliament or of Courts of Justice, or of any other public Body entitled to Privilege, in any way whatever.

The Privileges of Parliament or other public Bodies not to be affected.

9. In all Cases, Civil or Criminal, where a Defendant is or shall be allowed to plead the Truth of the Matters charged in the defamatory Libel, as a Justification or otherwise, it shall be sufficient for the Defendant to plead that the said alleged Libel is true in Substance and Matter of Fact; to which Plea the Plaintiff or Prosecutor shall be at liberty to reply generally.

The Truth of a Libel may be pleaded in a short Form.

10. This Act shall not extend to Scotland.

Act not to extend to Scotland.

Libel.

A

BILL

To amend the Law of Libel, and for more effectually securing the Liberty of the Press.

(*Prepared and brought in by*
Sir Colman O'Loghlen, Mr. Longfield, and
Mr. Hennessy.)

Ordered, by The House of Commons, *to be Printed,*
21 *February* 1865.

[Bill 33.]

Under 1 *oz.*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Bradford, Bridlington, Brighouse, Burnley, Henley, Sheffield, Shipley, Wallingford, Llangollen, Ormskirk, Swansea, Tormoham, and Lockwood.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto: And whereas in the Case of the Provisional Order for the Alteration of the Boundaries of the District of Lockwood the Consents required by the Local Government Act, 1858, to be obtained from the Ratepayers of the Parts proposed to be affected by such Order have been Preamble.

duly obtained: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the *passing of this Act*, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865."

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. Bradford (Yorkshire).—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement, for Street Improvements.

2. Bridlington.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement, for Street Improvements, &c.

3. Brighouse.—Repealing and altering Parts of a Local Act in force within the District.

4. Burnley.—Altering a Local Act in force within the District.

5. Henley.—Partially repealing a Local Act in force within the District.

6. Sheffield.—Repealing a Local Act in force within the District of the Sheffield Local Board.

7. Shipley.—Partially repealing and altering a Local Act in force within the District of Shipley, and extending the Borrowing Powers of the Local Board for that District.

8. Wallingford.—Repealing a Local Act in force within the District of the Wallingford Local Board.

9. Llangollen.—Extending the Borrowing Powers of the Local Board of Health.

10. Ormskirk.—Extending the Borrowing Powers of the Local Board of Health.

11. Swansea.—Extending the Borrowing Powers of the Local Board of Health.

12. Tormoham.—Extending the Borrowing Powers of the Local Board of Health.

13. Lockwood.—Altering the Boundaries of the District, under the Local Government Act, 1858.

BRADFORD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Bradford, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Bradford, in the County of York, acting as the Local Board of Health for that District, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for certain street improvements in the said District, as set forth and described in such Petition.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Bradford aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this First day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, are the following:—

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.

FIRST PART.

Comprising the LANDS required for the IMPROVEMENT of TYRREL STREET.

1	Shop, Workshops, Warehouses, Cellar, Steps in Yard, and Frontage.	Joseph Fearnley Bonnell.	- - - -	Joseph Fearnley Bonnell, John Bowman, John Lupton.
2	Shop, Warehouse, Cellar, Coal Place, Steps, and Frontage.	Thomas Denison, Dyson Denison, and Mary Denison.	- - - -	David Parkinson, Richard Fletcher.
3	Blacksmith's Shop, Shoeing Shop, Warehouses, Dwelling Rooms, Steps, and Frontage.	Ditto - -	- - - -	Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher.
4	Shop, Steps, and Frontage.	Ditto - -	- - - -	Richard Fletcher.
5	Shops, Dwelling-house, Workshops, and Frontage.	Michael Smith -	- - - -	Christopher Wilkinson.
6	Cottage - - -	Ditto - -	- - - -	Christopher Wilkinson, David Parkinson.
7	Yard, Privy, and Ashpit.	John Ward, Trustee of late Susan Ward, Joseph Fearnley Bonnell, Thomas Denison, Dyson Denison, and Mary Denison, Michael Smith, John Lupton, Trustee of late Susan Ward, John Ward.	- - - -	John Lupton, Richard Fawcett, Joseph Fearnley Bonnell, John Bowman, David Parkinson, Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher, Christopher Wilkinson.

SECOND PART.

Comprising the LANDS required for the IMPROVEMENT of MARKET STREET.

(SECTION B.)

8	Forecourt - -	John Stead - -	George Parkinson and Robert Clark.	George Parkinson and Robert Clark, Denbigh Scott, James Holroyd, Joseph Kaye, Thomas Clarke, Rodolphus Egan, Tom Akam, William Wilkinson, Thomas Hartley, and Samuel Priestley.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
9	Shop, Office, Dwelling-house, Yard, Coach-house, and Outbuildings.	John Stead - -	George Parkinson and Robert Clark.	George Parkinson and Robert Clark.
10	Office and Shutter Box.	Mrs. Emily Steele and James Wood, Trustees of John Steele.	Joseph Spink - -	Charles Waller, Joseph Spink.
11	Shop and Stock Room	Alfred Ogden -	- - - -	Hannah Ogden and Alfred Ogden.
12	Piece Rooms - -	James Greaves Tetley Parkinson.	William Rouse and James Hammond.	William Rouse and James Hammond, John Glover, Maurice Goggin.
13	Shop, Dwelling House, Wash-house and Coal Place.	Ditto - -	- - - -	James Greaves Tetley Parkinson.
14	Piece Rooms - -	Ditto - -	- - - -	Charles Stanfield.
15	Yard and Passage -	Benjamin Greenwood, Alfred Ogden, James Greaves Tetley Parkinson.	William Rouse and James Hammond.	George Edmund Donisthorpe, John Crofts and Richard Dawson, Joshua Wood, Benjamin Greenwood, Henry Mason, James Mallison, John Mallison, Hannah Ogden and Alfred Ogden, James Greaves Tetley Parkinson, Maurice Goggin, John Glover, William Rouse, and James Hammond.
16	Tobacco Manufactory	Alfred Ogden -	- - - -	James Greaves Tetley Parkinson.
17	Privies, Ashpit, and Passage.	James Greaves Tetley Parkinson.	William Rouse and James Hammond	William Rouse and James Hammond, John Glover, Maurice Goggin, James Greaves Tetley Parkinson.
		(SECTION E.)		
18	Public House, called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller -	- - - -	Charles Dale.
19	Shop, Warehouses, Privy and Ashpit.	Henry Brown -	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Storeroom.	Eliza Senior - -	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brewhouse, Warehouse, and Store-room.	Charles Waller, Eliza Senior.	Ditto - - -	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller -	- - - -	Charles Dale, J Fletcher.
23	Woolwaste Warehouse	Thomas Snow Waud.	- - - -	William Brown.
24	Woolwaste Warehouse	Hannah Green -	- - - -	Joseph Hind, John Waller, and William Atkinson.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior -	- - - -	Joseph Dawson Sugden.
26	Piece Rooms, Storeroom, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy, and Ashpit.	Ditto - -	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting-houses and Cellars.	Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (limited) John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting-houses, Offices, Yard, and Front Area.	Ditto - -	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.
30	House and Eating Rooms.	Jane Woodhead -	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ash Pits, Manure Pit, Covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown, Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson, and Joseph Cockcroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph Mac Owan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
33	Shop and Warehouses	Francis Sharp Powell.	Henry Brown - -	John Greenwood.
34	Yard and Ashpit -	Ditto - -	Ditto - -	John Greenwood, Henry Brown, and Thomas Parkinson Muff, Joseph Sowden, John Hall, William Brooksbank.
35	Tinner's Shop, Workshop, Warehouse, and Office.	Ditto - -	Ditto - -	Joseph Sowden, John Greenwood.
36	Passage and Public Way.	The Mayor, Aldermen, and Burgesses of Bradford, Francis Sharp Powell.	Ditto - -	The Mayor, Aldermen, and Burgesses of Bradford, Joseph Sowden, John Greenwood.
37	Shop, Cellar, Warehouses, and Back Area.	Francis Sharp Powell.	Ditto - -	John Hall, Joseph Kershaw, and Jonas Jowett.
38	House, Shop, Workshop, Cellar, and Back Area.	Ditto - -	Ditto - -	William Brooksbank.
39	Shop, Workshop, and Warehouse.	Ditto - -	Ditto - -	John Maude.
40	Beerhouse, called "Wakefield Arms," Cellar, and Urinal.	Ditto - -	Michael Stocks, Sarah Priestley.	Sarah Priestley.
41	Wool Warehouse and Privy.	Ditto - -	Michael Stocks -	Joseph Hurst, James Cluderay.
42	Public House called "Roebuck Inn" and Dram Shop, Shop, Warehouses, and Piece Rooms.	Francis Sharp Powell.	John Dyson and James Dyson, John Aked.	Samuel Thomas, James Cluderay, Andrew Moulding, Richard Hardaker and Henry Widdop, Charles Keighley, John Fawcett.
43	Passage, Yard, Ashpit, and Privies.	Ditto - -	Ditto - -	Joseph Hirst, Sarah Priestley, James Cluderay, Abram Moseley and Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley Thomas Longbottom, Isaac White, Joseph Bottomley, Samuel Thomas, Henry Brown and Thomas Parkinson Muff, Andrew Moulding, Richard Hardaker and Henry Widdop, John Fawcett.
44	Coalplace, Stable, Steps, and Workshop.	Ditto - -	Ditto - -	Samuel Thomas, Henry Brown, and Thomas Parkinson Muff.
45	Wool and Waste Warehouses, Brewhouse, and Cellar.	Ditto - -	Ditto - -	Abram Moseley, Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley, Isaac White, Joseph Sowden, Samuel Thomas.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
46	Shop and Warehouse	George Royle Wright.	- - - -	Mark Oddy.
47	Shop and Warehouses	Ditto - -	- - - -	George Hannibal Isitt.
48	Warehouse and Bedrooms.	John Ratcliff -	- - - -	Joseph Beanland.
49	Coalhouse, Warehouse, Shop, Yard, Privy, and Passages.	Ditto - -	- - - -	Joseph Beanland, John Hunter.
50	Kitchens and Warehouse.	Ditto - -	- - - -	Ditto.
51	Shop, Sitting-room, and Cellar.	Ditto - -	- - - -	Ditto.
52	Eating House and Shop.	Ditto - -	- - - -	Joseph Beanland.
53	Dwelling House and Shop.	Ann Mann, Joseph Wood	- - - -	Sarah Taylor, Harriet Taylor, and Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.
55	Butcher's Shop and Bedroom, Kitchen.	Ditto - -	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto - -	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto - -	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto - -	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Water-closet.	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop - - -	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.
		(SECTION F.)		
61	Public House, called "Boar's Head Inn," Brewhouse, Yard, Ashpit, Privy.	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Joseph Blamires.
62	Shop, Room, Yard, Ashpit, and Privy.	Anne Metcalfe -	- - - -	Sarah Hartley.
63	Shop - - -	Joseph Farrar -	- - - -	William Brown.
64	Shop, Dwelling House, and Cellar.	William Holgate -	- - - -	William Holgate.
65	Shop, Room, Cellar, and Closet.	William Holgate, Timothy Longbottom, Trustee of late Nancy Longbottom.	- - - -	George Brown, William Holgate.
66	Shop, Workshops, Warehouse, Cellar.	Timothy Longbottom, Trustee of late Nancy Longbottom, William Holgate.	- - - -	George Brown.
67	Shop, Offices, and Workshop.	Johnson Atkinson Busfield.	- - - -	James Brown, Henry Ibbotson.

THIRD PART.

COMPRISING the LANDS required for the intended NEW STREET from BANK STREET to SUN BRIDGE, and for widening a portion of BANK STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
18	Public House, called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller -	- - - -	Charles Dale.
19	Shop, Warehouses, Privy, and Ashpit.	Henry Brown -	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Storeroom.	Eliza Senior -	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brewhouse, Warehouse, and Storeroom.	Charles Waller, Eliza Senior.	Ditto - -	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller -	- - - -	Charles Dale, J. Fletcher.
23	Wool Waste Warehouse.	Thomas Snow Waud.	- - - -	William Brown.
24	Wool Waste Warehouse.	Hannah Green -	- - - -	Joseph Hind, John Waller, and William Atkinson.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior -	- - - -	Joseph Dawson Sugden.
26	Piece Room, Store Room, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy and Ashpit.	Ditto - -	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting Houses, and Cellars.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting Houses, Offices, Yard, and Front Area.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
30	House and Eating Rooms.	Jane Woodhead	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ashpit, Manure Pit, Covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown and Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson and Joseph Cockroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.
69	Public House, called "The Fleece Inn," Brewhouse, Stables, and Frontage.	Robert Shackleton	John Smith	John Smith.
70	Wool Waste Warehouses.	Ditto	Ditto	John Smith, John Hartley, Joseph Cooper.
71	Wool Waste Warehouses and Stable.	Ditto	Ditto	Samuel Procter and Charles Procter, and John Rawnsley.
72	Workshop	Ditto	Ditto	Robert Shackleton, John Fawcett, James Holliwell.
73	Corn Warehouse	Ditto	Ditto	Robert Shackleton.
74	Yard, Passage, Privies, and Ashpit.	Robert Shackleton, Robert Holdsworth and Mrs. Judith Holdsworth, Mrs. Ryecroft.	Ditto	Henry Scott, Timothy Roper, David Laycock and Benjamin Laycock, Richard Brown, Thomas Holt, Henry Arensberg, John Smith, John Hartley, Joseph Cooper, Samuel Procter and Charles Procter, and John Rawnsley, Robert Shackleton, John Fawcett, James Holliwell.
75	Shop and Storeroom	Robert Shackleton	- - - -	Henry Arensberg.
76	Shop and Workroom	Ditto	- - - -	Thomas Holt.
77	Shop, Workshop, and Room.	Ditto	- - - -	Richard Brown.
78	Shop and Room	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	David Laycock and Benjamin Laycock, Timothy Roper.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
79	House, Shop, and Warehouse.	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	Timothy Roper.
80	Shop and Workshop -	Ditto - -	- - - -	Joseph Wilson.
81	Dram Shop, Office. Warehouse, Bottling Room, Counting-house.	James Thistleton Haigh.	William Wright. Trustee of late James Wright.	William Wright, Trustee of late James Wright, Samuel Wright.
82	Shop and Warehouses	Ditto - -	John Conway - -	John Conway.
83	Ditto - - -	Ditto - -	Felix Marsh Remington.	Felix Marsh Remington
84	Yard, Privies, and Ashpit.	Ditto - -	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.
85	Shop, Storeroom, Workshops, Class Rooms, Warehouse, and Printing Office.	James Willins Taylor.	Joseph Parkinson and Henry Myers.	Joseph Parkinson and Henry Myers, Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood.
86	Shop and Billiard Rooms.	Ditto - -	William James -	William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner.
87	Shop, Piece Rooms, Storerooms.	Ditto - -	Thomas Ramsden -	Thomas Ramsden, James Collinson, Dan Robinson, Henry Cockroft, William Ackroyd, William Gawthrop.
88	Shop, Warehouse, Piece Rooms, Meeting Room, and Privy.	Ditto -	William Dawson Mortimer.	William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary.
89	Passages, Yards, Privies, and Ashpits.	Ditto - -	Joseph Parkinson and Henry Myers, William James, Thomas Ramsden, William Dawson Mortimer.	Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood, William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary, Thomas Ramsden, Dan Robinson, Henry Cockroft, William Ackroyd, William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner, Joseph Parkinson, and Henry Myers, William Gawthrop.
90	Shop and Warehouse	Elizabeth Rawson	John Fawcett -	John Fawcett.
91	Shop - - -	Ditto - -	Ditto - -	Ditto, John Poppleton.
53	Dwelling-house and Shop.	Ann Mann, Joseph Wood.	- - - -	Sarah Taylor, Harriet Taylor, Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
55	Butcher's Shop and Bedroom, Kitchen.	Ann Mann - -	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto - -	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto - -	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto - -	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Watercloset.	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop - - -	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.

FOURTH PART.

Comprising the Lands required for the intended New Street from Bank Street to Kirkgate.

92	Part of Shop - -	John Rawson and Thomas Buck.	- - - -	Joseph Hartley, Joseph Rhodes.
93	Ditto - -	Ditto - -	- - - -	George Farmery, Joseph Rhodes.
94	Part of Shop and Piece Room.	Ditto - -	- - - -	William Cass.
95	Ditto - -	Ditto - -	- - - -	John Irwin, Charles Lumb.
96	Ditto - -	Ditto - -	- - - -	William Mansfield.
97	Warehouses, Shops, Piece Rooms, Offices, Water-closets, Houses, Beershop called "Piece Hall Vaults," Passage, and Frontage.	Ditto - -	- - - -	John Wilcock, Eli Bottomley, Charles Howard, and Edward Holdsworth, Henry Roberts and Samuel Roberts, Thomas Williamson.
98	Public-house called "Talbot Inn," Yard, Brewhouse, Coach-house, Stables, Ashpits, Privy, and Manure Pit.	Thomas Wood Bartholomew and William Hamond Bartholomew.	Benjamin Briggs Popplewell, Assignee of John Bell.	Benjamin Briggs Popplewell, Assignee of John Bell.
99	Warehouse - -	Thomas Wood Bartholomew and William Hamond Bartholomew.	Ditto - -	Robert Lancester.
100	Wireworker's Shop -	Ditto - -	Ditto - -	Joseph Rhodes.
101	Eating House - -	Ditto - -	Ditto - -	Abel Archer.
102	Talbot Yard - -	Ditto - -	Ditto - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
103	Shop, Dwelling-house, Area, and Ashpit.	Reverend George Barber Paley and Reverend George Mason.	- - - - -	John McCroben, and Edward McCroben.
104	Yard and Road -	Ditto - -	- - - - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer, John McCroben and Edward McCroben, Ann Northrop, and Martha Northrop.
105	Shop and Dwelling-house	Ditto - -	- - - - -	Ann Northrop, and Martha Northrop.
106	Office and Work-room	Ditto - -	- - - - -	James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary.
107	Dwelling-house -	Ditto - -	- - - - -	William Holgate.
108	Offices - - -	Ditto - -	- - - - -	George Humble.
109	Offices, Coal Closet, and Steps.	Ditto - -	- - - - -	William Gilyard, John Jowett Hill.
110	Offices, Porch, House, Shop, Warehouse, Cellars, Area, and Frontage.	Ditto - -	- - - - -	William Gilyard, William Hargreaves, James Taylor.
111	Shop, Dwelling-house, and Frontage.	Ditto - -	- - - - -	Thomas Whitfield.
112	Shop, Dwelling-house, Area, and Frontage.	Ditto - -	- - - - -	Henry Arensberg and Louis Arensberg.
113	Shop, Dwelling-house, and Coal Place.	Reverend George Barber Paley and Reverend George Mason.	- - - - -	James Bowes.
114	Shop, Workrooms, and Coal Place.	Ditto - -	- - - - -	Henry Rhodes - -
115	Passage, Yard, Privy, and Ash Pit.	Ditto - -	- - - - -	James Taylor, Thomas Whitfield, Henry Arensberg and Louis Arensberg, James Bowes.
116	Warehouses and Steps	Ditto - -	- - - - -	William Hudson Bilbrough, Edmund Jowett.
117	Ditto - - -	Ditto - -	- - - - -	Francis Lister and Joseph Jowett.
118	Shops, Dwelling-house, Warehouse, Yard, Area, Post Office, Offices, and Workshops.	Ditto - -	- - - - -	Edwin Davis, John Boast, Henry Francis Lockwood, William Mawson and Richard Mawson, Henry Ogle Mawson, William Coates (Postmaster).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
119	Yard, Privies, and Ashpits.	Ditto - -	- - - -	Ann Northrop, James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary, George Humble, William Gilyard, John Jowitt Hill, William Hargreaves, Henry Rhodes, William Hudson Bilbrough, Edmund Jowitt, Henry Ogle Mawson, Edwin Davis, John Boast, William Coates, Henry Francis Lockwood, William Mawson and Richard Mawson.
120	Public Foot Road called "Union Passage."	The Mayor, Aldermen, and Burgesses of Bradford, Reverend George Barber Paley, and Reverend George Mason.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
121	Boundary Wall -	Ann Rouse, John Seppings Harrison and Thomas Emsley, Trustees of late David Rouse.	—	—

FIFTH PART.

COMPRISING the LANDS required for the EXTENSION of BROOK STREET.

122	Wool Warehouses, Offices, and Piece Rooms.	Richard Polycarp Mortimer.	- - - -	Thomas Robertshaw, Luther Robertshaw, Calvin Robertshaw and Illingworth Robertshaw, Samson Woller.
123	Ditto - -	Ditto - -	- - - -	James Oddy, Joseph Oddy, Thomas Oddy and William Oddy, James Lund.
124	Shop, Wool Warehouses, and Frontage.	William Reynald -	Benjamin Tetley and William Tetley.	William Reynald, Benjamin Tetley, William Tetley.
125	Shop, Office, Warehouses, and Frontage.	William Reynald -	James Oldfield and John Reffitt.	James Oldfield, John Reffitt, Alfred Ellison.
126	Ashpit - - - -	Ditto - -	Benjamin Tetley and William Tetley, James Oldfield and John Reffitt.	William Reynald, Benjamin Tetley and William Tetley, James Oldfield and John Reffitt, Alfred Ellison.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
127	Street called "Ship Alley."	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.

SIXTH PART.

COMPRISING the LANDS required for the intended NEW STREET from WESTGATE to THORNTON ROAD.

128	Public House called "Bee Hive Inn," Brewhouse, Cottage, Stables, Timber Yards, Slaughter Houses, Blacksmith's Shop, Privies, and Outbuildings.	John Hamerton, Richard Sterne Carroll, Mary Ellen de Cardonel Wright, Rev. Thomas Booth Wright, and John Field Wright, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters, Jane Lancaster, Frederick Johnson, Jane Waterhouse Burnett, Joseph Popplewell, Thomas Archbell Smith, John Hirst Thornton, Richard Berry.
129	Yards, Passages, Bridge, and Open Ground.	Ditto - -	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters Jane Lancaster, Frederick Johnson, Thomas Archbell Smith, Jane Waterhouse Burnett, Joseph Popplewell, John Hirst Thornton, Richard Berry, Harrison Nicholson.
130	House, Shop, and Coal Place.	Ditto - -	- - - -	Thomas Archbell Smith.
131	House, Shop, Coal Place, Coach-house, Stable, and Warehouse.	Ditto - -	- - - -	Harrison Nicholson.
132	Mill Goit - -	John George Smyth	- - - -	Edward West, John Slater Stansfield.
133	Goit Side and Public Footpath.	John George Smyth, the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
134	Whitesmith's Shop, Schoolroom, Cart Shed, Stables, Yard and Outbuildings, and Byewash.	John George Smyth	- - - -	Joseph Parrott, Edward West, and John Slater Stansfield.
135	Foundry and Yard -	Ditto - -	- - - -	John Willis.
136	Workshops, Warehouses, and Yard.	Michael Nelson -	- - - -	Edward Hillam, Joseph Garner, Michael Nelson.
137	House and Coalplace	John Christopher Smith.	- - - -	Sally Smith.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
138	Slaughter House, Workshops, and Yard.	John Christopher Smith.	- - - -	Samuel Bidwell, David Blowers and Edward Kemp, Sally Smith, Philip Smith, Elizabeth Smith.
139	Cottage and Land -	Abraham Shepherd, Sarah Holmes, Representatives of Abel Stell, viz. Mrs. Ellen Oddy, David Earnshaw, William Townend, Reuben Stell, Mrs. Hird, John Wood, Joseph Wood, Samuel Stell, James Stell, William Hanson, Charles Crabtree, Representatives of James Clegg.	- - - -	Thomas Wilson.
140	Cottage and Wall -	Ditto - -	- - - -	John Kennedy.
141	Ditto - - -	Ditto - -	- - - -	Joseph Foster.
142	Cottage and Wall -	Ditto - -	- - - -	Tabitha Horsfield.
143	Cottage, Coal-place, and Wall.	Ditto - -	- - - -	Jonathan Forster.
144	Cottage, Coal-place, and Yard.	Ditto - -	- - - -	Sarah Beetham.
145	Cottage - -	Ditto - -	- - - -	Sarah Beetham.
146	Cottage, Yard, and Coal-place.	Ditto - -	- - - -	Benjamin Firth.
147	Yard and Privy -	Ditto - -	- - - -	Sarah Beetham, Benjamin Firth, Sally Smith, Samuel Bidwell, David Blowers and Edward Kemp, Philip Smith, Elizabeth Smith, Samuel Pollard, John Kennedy, Joseph Foster, Tabitha Horsfield, Jonathan Foster.
148	Byewash - - -	Thomas Firth, Michael Nelson, John George Smyth.	- - - -	Edward West, John Slater Stansfield.
149	Vacant Ground and Beck.	Thomas Firth -	- - - -	Joseph Freeman.
150	Workshop, Warehouse, and Ground.	Ditto - -	- - - -	Richard Lacey.
151	Dwelling House and Shop.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- - - -	Samuel Tiplady.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
152	Dwelling House and Office.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- - - -	Jonas Illingworth.
153	Warehouses - -	Ditto - -	- - - -	Robert Sutcliffe, Lockwood Stephenson.
154	Ditto - - -	John Schofield -	- - - -	John Ellis and Abraham Jagger.
155	Ditto - - -	Ditto - -	- - - -	Jonathan Aykroyd and Thomas Wroe.
156	Ditto - - -	Ditto - -	- - - -	Jonathan Holdsworth.
157	Ditto - - -	Joseph Hopkinson and Thomas Hopkinson.	- - - -	Samuel Lee, Joseph Hopkinson and Thomas Hopkinson.
158	Workshops and Warehouses.	Ditto - -	- - - -	Joseph Hopkinson and Thomas Hopkinson.
159	Warehouses - -	William Rhodes -	John Scott and John Whittaker.	John Scott and John Whittaker.
160	Workshops and Warehouses.	William Rhodes -	John Scott and John Whittaker.	William Rhodes, John Scott, and John Whittaker.
161	Workshops - -	John Schofield -	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, William Parkinson, Denton Waring, John Warburton.
162	Yard, Passage, Privies, and Ashpit.	Jonas Illingworth, John Schofield, The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary, Joseph Hopkinson, and Thomas Hopkinson.	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, John Ellis and Abraham Jagger, Robert Sutcliffe, Lockwood Stephenson, Jonathan Ackroyd and Thomas Wroe, Jonathan Holdsworth.
163	Street, called "Wade Street."	John George Smyth, Michael Nelson, Thomas Firth, William Rhodes, Jonas Illingworth.	Joseph Hopkinson and Thomas Hopkinson.	John Willis, Edward Hillam, Joseph Garner, Michael Nelson, William Rhodes, John Scott and John Whittaker, Joseph Hopkinson and Thomas Hopkinson.

SEVENTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of WESTGATE.

164	House, Shop, Yard, Privy, and Ashpit.	Christopher Sewell	- - - -	Christopher Sewell.
165	Public House, called "Half Moon," Yard, Privy, and Ashpit.	Ditto - -	- - - -	William Wharton.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
166	Public House called "Westgate Tavern," Yard, Privy, and Ashpit.	William Bakes	- - - -	Richard Hyde, Charles Waller, Thomas Kelly.
167	Public House called "Dusty Miller," Yard, Privy, and Ashpit.	Christopher Irving	- - - -	William Unwin.
168	Dwelling House, Shop, and Yard.	Ditto	- - -	James Sadler.
169	House	Hall Aspinall	- - - -	Hall Aspinall.
170	House	John Aspinall	- - - -	John Aspinall.
171	Stable and Room over	Hall Aspinall and John Aspinall.	- - - -	Hall Aspinall and John Aspinall.
172	Brewhouse	John Aspinall	- - - -	William Unwin.
173	Privy and Ashpit	Hall Aspinall	- - - -	Hall Aspinall, John Aspinall, Daniel Smith.
174	House	James Brown	- - - -	Daniel Smith.
175	Yard called Aspinall's Yard.	Christopher Irving, William Bakes, Christopher Sewell, Hall Aspinall, John Aspinall, Hall Aspinall, and Isaac Brown, Trustees of late John Aspinall, James Brown.	- - - -	James Sadler, William Unwin, Richard Hyde, Thomas Kelly, William Wharton, Christopher Sewell, Hall Aspinall, John Aspinall, and Daniel Smith.

EIGHTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of JAMES STREET.

176	Shop, House, Warehouse, and Privy.	William Wells	- - - -	Francis Garvey.
177	Shop, House, Privy, and Yard.	Ditto	- - - -	George Brook.
178	Yard, Wall, and Ashpit.	Ditto	- - - -	George Brook, Francis Garvey.
179	Warehouses and Workshops.	Elizabeth Smith and Richard Waterhouse, Trustees of the late Jonas Smith.	- - - -	Joshua Lambert, John Wesley Smith.
180	Slaughter House and Yard.	Henry Westwood and Benjamin Pickles.	- - - -	Joseph Lumby.
181	Carthouse, Stable, Manure Pit, and Yard.	Ditto	- - - -	Robert Morrell.
182	Privy and Ashpit	Ditto	- - - -	Benjamin Pickles.
183	Vacant Ground called "Old Quarry."	Ditto	- - - -	Unoccupied.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.

NINTH PART.

COMPRISING the LANDS required for the intended NEW STREET from JAMES STREET to DARLEY STREET.

184	Shops, Dwelling-house, Yards, and Outbuildings.	Trustees of Kirkgate Wesleyan Chapel, Thomas Haigh, Secretary.	- - - -	Thomas Lund, Edward Harland, Joseph Lancaster, Tom Harland.
185	Private Road - -	Trustees of Kirkgate Wesleyan Chapel.	- - - -	Trustees of Kirkgate Wesleyan Chapel, Edward Harland, Tom Harland, Joseph Lancaster.
186	Yard, Slaughter House, and Privies.	Elizabeth Rawson -	- - - -	Elizabeth Rawson.
187	Public House, called "Market Tavern," Yard, and Outbuildings.	Ditto - -	- - - -	James Hammond.
188	Street, and part of Market.	Ditto - -	- - - -	Elizabeth Rawson, William Walmsley, Henry Badman, Edward Topham.
189	Wool Warehouse, Office, and Butter Market.	Ditto - -	- - - -	John Light, Joseph Rhodes, Thomas Midgley, Charles Hill, John Hodgson, Mayor, Aldermen, and Burgesses of the Borough of Bradford, Samson Leigh, Henry Badman, Benjamin Ackroyd, Joseph Crabtree, James Hagley, John Goodall.

TENTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of DUKE STREET.

190	Stable, Coach-house, Yard, Privy, and Manure Pit.	William Aked, Jeremiah Robertshaw, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Thomas Robinson.
191	Offices, Dwelling-house, Privy, and Garden.	Ditto - -	- - - -	John Darlington.

ELEVENTH PART.

Comprising the Lands required for the Improvement of Kirkgate and Ivegate.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
192	Shop and Workshops	Bailey Blackburn -	- - - -	Thomas Hunter.
193	Shops and Warehouse	Ditto - -	- - - -	Bailey Blackburn, John Riley.
194	Shop, Dwelling-house, Warehouse, Outbuildings, and Area.	John Charles Pearce	- - - -	Hannah Chatterton, Michael Newbould.
195	Shop, Dwelling-house, Warehouse, Area, and Frontage.	Ditto - -	- - -	Ann Newton, Squire Dracup.
196	Shop, Warehouses, and Frontage.	Ditto - -	- - - -	John Hudson Waite, Michael Newbould.
197	Yard, Privy, and Ash-pit.	Ditto - -	- - - -	Hannah Chatterton, John Hudson Waite, Michael Newbould.
198	Shop, Dwelling-house, Workshop, Warehouse, and Frontage.	Ditto - -	- - - -	Michael Newbould, John Hudson Waite.
199	Workshop and Warehouse.	Ditto - -	- - - -	John Pearson.

TWELFTH PART.

Comprising the Lands required for the Improvement of Carlisle Road.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
200	Cottage, Yard, and Outbuildings.	James Atkinson Jowett.	- - - -	Elizabeth Rhodes.

BRIDLINGTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *and the Lands Clauses Consolidation Acts Amendment Act,* 1860, *within the District of the Local Board of the Township of Bridlington, with respect to the Purchase and taking of Lands and Houses otherwise than by Agreement.*

Whereas the Local Board in and for the District of the Township of Bridlington in the East Riding of the County of York, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of the said Local Board and the Signatures of five members thereof, to one of Her Majesty's

Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, to enable the aforesaid Local Board to purchase and take certain lands, houses, and other premises for the purpose of enabling them to improve existing and make new streets and promenades and to construct a sea wall and promenade thereon, and for other purposes connected therewith respectively.

And whereas the said petition duly set forth in the Schedule annexed thereto the several pieces of land and the several houses and premises intended to be taken by such Local Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid lands, houses, and premises, who have assented, dissented, or are neuter in respect of the taking thereof or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might with reference to such lands, houses, and premises be allowed to put in force the powers of the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Rawlinson, Esquire, the Inspector appointed for the purpose, to visit the said district, and the said Inspector has now enquired in the district aforesaid into the subject matter of such petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make order and direct.

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board of the said District of the Township of Bridlington shall be empowered to put in force with reference to the lands, houses, hereditaments and premises referred to and described in the Schedule to this Order annexed the powers of the Lands Clauses Consolidation Act, 1845, and of the Lands Clauses Consolidation Acts Amendment Act, 1860, with respect to the purchase and taking of Lands otherwise than by agreement.

Given under my hand this Sixteenth day of June one thousand eight hundred and sixty-four.

The SCHEDULE referred to in the foregoing Order.

The Lands, Houses, Buildings, Hereditaments, and Premises proposed to be taken for the Purposes set forth in the preceding Order, and which are situate in the aforesaid District are the following, the figures in the first column referring to those on the Plan of the said Hereditaments and Premises mentioned in the Petition of the aforesaid Local Board herein-before referred to.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	The North Pier	The Bridlington Pier and Harbour Commissioners.		
2	Cliff Terrace, Roadway	The Local Board.		
3	Crane Hill, Roadway	The Local Board.		
3	Crane Wharf	The Bridlington Pier and Harbour Commissioners.		
4	Harbour Masters' Office	The Bridlington Pier and Harbour Commissioners.		
5	Jetty and Landing Steps	The Bridlington Pier and Harbour Commissioners.		
6	Approach Road to Wharf	The Bridlington Pier and Harbour Commissioners.		
7	Garrison Street, Roadway.	The Local Board.		
8	House and Baths	Edward Rycroft	- - -	Edward Rycroft.
9	House and Baths	Edward Rycroft	- - -	Edward Rycroft.
10	Public House	John Simpson and George Simpson.	- - -	Ellen Hobson.
11	House and Shop	Sarah Gray	- - -	George Smith.
12	House	Ann Lowther	- - -	William Garbutt.
13	Butcher's Shop	George Gray	- - -	Langton Brown.
14	Wooden Building	George Gray	- - -	William Hadden.
14*a*	House and Shop	Jane Stewart	- - -	Jane Stewart.
15	House	Mrs. Wallis	- - -	Mrs. Wallis.
15*a*	House and Shop	William Smith	- - -	George Dixon.
16	House and Shop	Ann Mitchell	- - -	Ann Mitchell.
16*a*	Passage	Ann Mitchell.		
17	House and Shops	Mrs. Ingle	- - -	Alice Simpson, Mrs. Pickering.
17*a*	House	Mrs. Lowther.	——	——
18	House	Mrs. Lowther	- - -	The same.
19	House	J. B. Kirton	- - -	John Spencer.
20	Cliff Street, Roadway	The Local Board.		
21	House	Mary Savage	- - -	Jane Scrivener.
22	House	Mrs. Savage	- - -	Mrs. Binning.
22*a*	Passage	Mrs. Savage.		
23	House	Mrs. Savage	- - -	John Leng.
24	House	John Armstrong	- - -	John Armstrong.
25	House and Shop	John Armstrong	- - -	Robert Lyon.
26	House and Shop	Benjamin Sharp Sawden.	- - -	James Higginbotham.
27	House	Benjamin Sharp Sawden.	- - -	James Higginbotham.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
28	House	Benjamin Sharp Sawden.	- - -	John Tucker.
28*a*	Wooden Building	Benjamin Sharp Sawden.	- - -	John Tucker.
29	Cottage	Benjamin Sharp Sawden.	- - -	Simpson Miles.
29*a*	Passage	Benjamin Sharp Sawden.		
30	Warehouse	Benjamin Sharp Sawden.	- - -	Robert Lyon.
31	Warehouse	Benjamin Sharp Sawden.	- - -	James Stephenson.
32	Warehouse	Benjamin Sharp Sawden.	- - -	Benjamin Sharp Sawden.
33	Warehouse	Benjamin Sharp Sawden.	- - -	Unoccupied.
34	Cottage	Benjamin Sharp Sawden.	- - -	James Higginbotham.
35	Cottage	George Gray	- - -	John Medd.
36	Slaughterhouse	John Armstrong	- - -	Robert Lyon.
37	Yard	John Armstrong	- - -	John Armstrong.
38	Cottage	George Gray	- - -	Unoccupied.
39	Cottage	George Gray	- - -	Peter Anderson.
40	Cottage	Henry Brambles	- - -	Richard Cowling.
41	Cottage	Henry Brambles	- - -	John Lyon, senr.
42	Cottage	Henry Brambles	- - -	Jane Fairbotham.
43	Wooden Photographic Building.	Abraham Forth	- - -	Abraham Forth.
44	Stable	Benjamin Sharp Sawden.	- - -	Thomas Sanderson Tucker.
45	Wooden Photographic Building.	Thomas Sanderson Tucker.	- - -	Thomas Sanderson Tucker.
46	Cottage	Benjamin Sharp Sawden.	- - -	Thomas Sanderson Tucker.
47	Cottage	Benjamin Sharp Sawden.	- -	John Brown.
48	Stable	Benjamin Sharp Sawden.	- - -	Thomas Sanderson Tucker.
49	Part House	Mary Savage	- - -	Jane Scrivener.
50	Part House	Mrs. Savage	- - -	Mrs. Binning.
51	Roadway	The Local Board.		
52	Roadway	The Local Board.		
53	House	William Watson	- - -	William Watson.
54	House	Thomas Richard Hall.	- - -	Mrs. Slater.
55	House	The Reverend Theodore Muller.	- - -	Mrs. Agar.
56	House	The Reverend Theodore Muller.	- - -	Joseph Cross.
57	House	William Watson	- - -	Thomas Dalton.
58	House	Hannah Taylor	- - -	Robert Jarratt.
59	Office	William Watson	- - -	William Watson.
60	Chapel	The Trustees of Primitive Methodist Connexion.	- - -	Primitive Methodist Connexion.
61	Roadway	The Local Board.	———	———
62	Shop	The Trustees of Primitive Methodist Connexion.	- - -	John Bishop.
63	Cottage	James Elgey	- - -	Robert Wilson.
64	Cottage	James Elgey	- - -	John Harrison.
65	Cottage	James Elgey	- - -	Samuel Broaderick.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
66	Cottage	William Harpham	- - -	Alfred Bullock.
67	Cottage	William Harpham	- - -	William Dove.
68	Cottage	William Harpham	- - -	—— Whiteley.
69	Privies	James Elgey	- - -	——
70	Yard	William Watson	- - -	Thomas Dalton.
71	Yard	Hannah Taylor	- - -	Robert Jarratt.
72	Cottage	William Carr	- - -	Mrs. Bullock.
73	Cottage	William Carr	- - -	Mrs. Jane Hick.
74	Cottage	William Carr	- - -	Mrs. Siddall.
75	Cottage	Robert Taylor	- - -	Robert Taylor.
76	Cottage	James Elgey	- - -	Samuel Smith, sen.
77	Cottage	James Elgey	- - -	William Bell.
78	Printing Office	Robert Taylor	- - -	John Varley.
79	Cottage	James Elgey	- - -	John Sellers.
80	Cottage	James Elgey	- - -	Francis Brown.
81	Cottage	James Elgey	- - -	Unoccupied.
82	Cottage	James Elgey	- - -	Samuel Smith, jun.
83	Cottage	James Elgey	- - -	John Usher, jun.
84	Privies, &c.	James Elgey.	——	——
85	Cottage	Joseph Catley	- - -	William Wallis.
86	Cottage	Joseph Catley	- - -	Robert Collyer.
87	Cottage	Joseph Catley	- - -	Anthony Bell.
88	Cottage	Joseph Catley	- - -	Mrs. Heaton.
89	Cottage	John Hodge, David Sanderson.	- - -	John Hodge.
90	Two Cottages	Ruth Massender	- - -	Robert Scales, sen., George Laycock.
90*a*	Passage	Ruth Mssender.	——	——
91	Two Cottages	Ruth Mssender	- - -	John Elliott, Ruth Massender.
91*a*	Cottage	Ruth Massender	- - -	Sarah Radcliffe.
92	Cottage	Thomas Frankish	- - -	Thomas Williamson.
93	Cottage	Joseph Ripley	- - -	Joseph Ripley.
93*a*	Passage	Joseph Ripley.	——	——
94	Cottage	John Gray	- - -	George Pool.
95	Cottage	John Gray	- - -	Samuel Dove.
96	House	John Jackson	- - -	John Jackson.
97	Cottage	John Jackson	- - -	Unoccupied.
98	Cottage	John Jackson	- - -	James Sawden.
99	Two Cottages	John Jackson	- - -	George Wright, Henry Varley.
99*a*	Passage	John Jackson.	——	——
100	Yard	John Jackson.	——	——
101	Two Cottages	John Jackson	- - -	William Smith, Edward Anderson.
102	Privies, &c.	John Jackson	- - -	William Smith, Edward Anderson.
103	Three Cottages	John Bishop	- - -	William Bullock.
104	Yard	Thomas Richard Hall.	- - -	Mrs. Slater.
105	Three Cottages	John Bishop	- - -	John Wray, Christopher Anderson, Samuel Needham.
106	Warehouse	James Harrison and Sons.	- - -	James Harrison and Sons.
107	Stable	Mrs. Blakeston	- - -	Mrs. Blakeston.
108	Cottage	William Miles, sen.	- - -	William Miles, sen.
109	Cottage	Robert Miles, sen.	- - -	Robert Miles, jun.
110	Cottage	Mrs. Blakeston	- - -	Cornelius Blakeston.
110*a*	Passage	Mrs. Blakeston	- - -	Mrs. Blakeston.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
111	Three Cottages	William Brambles	- - -	Mrs. Hick, Mrs. Williamson, Cornelius Young.
112	Three Cottages	William Brambles	- - -	George Johnson, William Harrison, and one unoccupied.
113	Cottage	Mrs. Blakeston	- - -	Mrs. Blakeston.
114	Four Cottages	Joseph Catley	- - -	Dinah Mann, Robert Burrel, Ralph Morris, and one unoccupied.
114*a*	Warehouse	Joseph Catley	- - -	Joseph Catley.
115	Two Cottages	Joseph Catley	- - -	John Anderson, James Stabler.
116	Cottage and Stable	Joseph Catley, Honoria Scholar.	- - -	Thomas Pickering, George Williamson.
117	Cottage	Honoria Scholar	- - -	Stephen Postill.
118	Cottage	Honoria Scholar	- - -	Thomas Sigsworth.
119	Cottage	Robert Musk	- - -	Robert Musk.
120	Cottage	Joseph Catley	- - -	George Williamson.
121	Kitchen	Joseph Catley	- - -	George Williamson.
122	House	Joseph Catley	- - -	John Wallis.
123	House	Joseph Catley	- - -	Mary Robinson.
124	House	Joseph Catley	- - -	Joseph Catley.
124*a*	Passage	Joseph Catley.	——	——
125	House	Joseph Catley	- - -	Francis Binning.
125*a*	Yard and Outbuildings	Joseph Catley.	——	——
126	Roadway and vacant Ground.	Charles Mann	- - -	Charles Mann.
127	House and Passage	John Brown	- - -	Unoccupied.
128	House	John Brown	- - -	Unoccupied.
129	House	John Brown	- - -	Unoccupied.
130	Sale Room	James Speck	- - -	Thomas Tate.
131	Wooden Shed	Charles Mann	- - -	Charles Mann.
132	Wooden Shed	Charles Mann	- - -	Charles Mann.
133	Vacant Ground	Charles Mann	- - -	Charles Mann.
134	Wooden Shed	Charles Mann	- - -	Charles Mann.
135	Wooden Shed	Charles Mann	- - -	Charles Mann.
136	Wooden Shed	Charles Mann	- - -	Edward Hobson, junior.
137	Wooden Shed	Charles Mann	- - -	Edward Hobson, junior.
138	Wooden Shed	Charles Mann	- - -	Edward Hobson, junior.
139	Wooden Shed	Charles Mann	- - -	Edward Hobson, junior.
140	Garden	Charles Mann	- - -	Richard Dennis.
141	House	Charles Mann	- - -	Seth Brigham.
142	House	Charles Mann	- - -	John Fox.
143	House	Charles Mann	- - -	—— Schobey.
144	Vacant Ground	Charles Mann	- - -	Charles Mann.
145	Roadway	Charles Mann.	——	——
146	Vacant Ground	Charles Mann	- - -	Charles Mann.
146*a*	Vacant Ground	Ann Elizabeth Parrott.	- - -	Ann Elizabeth Parrott.
147	House	Elizabeth Gardner, Ann Gardner.	- - -	Unoccupied.
148	Stables and Outbuildings.	Mrs. Preston	- - -	John Ombler.
149	Public House	Mrs. Preston	- - -	John Ombler.
150	House and Shop	Mrs. Preston	- - -	Henry J —— Sawden.
151	Cross Street Roadway	The Local Board.	——	——
152	Prince Street Roadway	The Local Board.	——	——
153	Queen Street Roadway	The Local Board.	——	——
154	House	George Taylor, Darley Taylor.	- - -	Mrs. Taylor.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
155	Cottage	George Taylor	- - -	James Watson.
156	Outbuildings	George Taylor	- - -	Mrs. Taylor.
157	House and Shop	John Arnell	- - -	David Walkington, jun.
158	Three Cottages	John Arnell	- - -	John Knott, John Morris, Elizabeth Kirby.
159	House	Thomas Richard Hall.	- - -	George Knott.
160	Two Cottages	Thomas Richard Hall.	- - -	Richard Lister, jun.
161	Queen's Place Roadway	The Local Board	- - -	Pearson Smith.
162	Ruinous Building	Messrs. Freshney and Keyworth.	- - -	Unoccupied.
163	Ruinous Building	Messrs. Freshney and Keyworth.	- - -	Unoccupied.
164	Outbuildings	Messrs. Freshney and Keyworth.	- - -	Unoccupied.
165	Shop	George Taylor, Darley Taylor.	- - -	Unoccupied.
166	Ship Hill Roadway	The Local Board.	——	——
167	Gardens and Buildings	Thomas Richard Hall.	- - -	Robert Bullock.
168	Vacant Ground	The Harbour Commissioners.	- - -	Unoccupied.
169	Roadway	The Local Board.	——	——
170	Steps to Harbour	The Harbour Commissioners.	- - -	——
171	Two Cottages	Thomas Spencer Harrison.	- - -	David Simpson, Benjamin Holland.
172	Cottage	George Taylor, William Taylor.	- - -	George Stork.
173	Cottage	George Taylor, William Taylor.	- - -	William Varley.
174	Cottage	George Taylor, William Taylor.	- - -	George Gray.
175	Vacant Ground	Thomas Gittings	- - -	Unocccupied.
176	Yard	Thomas Gittings.	——	——
177	Outbuildings	Thomas Gittings	- - -	Francis Gray.
178	House	Thomas Gittings	- - -	Francis Gray.
179	House and Shop	Thomas Gittings	- - -	Richard Nicholson.
180	House	The Misses Loadman	- - -	The Misses Loadman.
180*a*	Passage	The Misses Loadman.	——	——
181	House and Shop	The Misses Loadman	- - -	Mrs. Blenkin.
182	House	William Tennison	- - -	Unoccupied.
183	Cottage	George Taylor, Darley Taylor.	- - -	Melchizadec Walkington.
184	Cottage	Richard Speck	- - -	Mrs. Snelling.
185	Cottage	Edward Hobson, sen.	- - -	Mary Pickering.
186	House	Thomas Spencer Harrison.	- - -	Francis Dalby.
187	Privy	George Taylor, William Taylor.	- - -	John Campleman.
188	Outbuildings	The Misses Loadman	- - -	The Misses Loadman.
189	Outbuildings	Mary Smith	- - -	Mary Smith.
190	Outbuildings	The Misses Loadman	- - -	Mary Leadly.
191	Outbuildings	The Misses Loadman	- - -	The Misses Loadman.
192	Outbuilding	The Misses Loadman	- - -	The Misses Loadman.
192*a*	Cottage	Morris Headley	- - -	John Gray.
193	Cottage	Mary Smith	- - -	Mary Smith.
194	Cottage	The Misses Loadman	- - -	Mary Leadley.
195	House	George Taylor, William Taylor.	- - -	John Campleman.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
196	Cottage	Thomas Gittings	- - -	Francis Gray.
197	Roadway to Spring Pumps.	The Local Board.	——	——
198	Roadway	The Harbour Commissioners.	——	——
199	Wharf Wall	Henry Robinson.	——	——
200	Cottage	Henry Robinson	- - -	Thomas Harrison.
201	Cottage	Henry Robinson	- - -	Francis Thompson.
202	Cottage	Henry Robinson	- - -	Francis Gray.
203	Warehouses	Henry Robinson	- - -	Francis Gray, Thomas Williamson, John Boddy, Thomas Siddall, Edward Rycroft.
203*a*	Sail Loft	Thomas Scrivener	- - -	Thomas Scrivener.
204	Garden	The Reverend W. Welburn.	- - -	Edward Samuel Brett.
204*a*	Privy and Ash Bin	John Thompson	- - -	John Thompson.
205	Stable and vacant Ground.	John Thompson	- - -	John Thompson.
206	House and Warehouse	William Barnett, jun.	- - -	John Gray.
207	Waste Ground and Breakwater.	John Simpson, George Simpson, Sarah Gray, George Gray, Mrs. Lowther.	——	——
208	Waste Ground and Breakwater.	Mary Savage, Benjamin Sharp Sawden, Henry Brambles, William Watson, Thomas Richard Hall.	——	——
209	Wooden Steps to Sands	The Local Board.	——	——
210	Houses, Bath, and Watch-house.	John Bishop	- - -	John Bishop, William Pickering, Captain D. Herbert.
211	Jetty	John Bishop	- - -	John Bishop.
211*a*	Vacant Ground	Mary Ann Wray	- - -	Unoccupied.
212	Esplanade Terrace	The Lords Feoffees of the Manor of Bridlington.	William Watson, Robert Tonge, Mrs. Wright, Paul Parrott, William Kennedy Gardner, William Forth, Edward Rycroft, and Mary Dawson.	——
213	Stone Steps to Sands	The Local Board.	——	——
214	Sea Wall and Roadway	Robert Tonge	——	——
215	House and Grounds	Robert Tonge	- - -	B. B Haworth.
216	Esplanade Roadway	The Local Board.	——	——
217	Short Lane Roadway	The Local Board.	——	——
218	Vacant Ground	Robert Tonge.	——	——
218*a*	Vacant Ground	George Gray	——	——
219	Pleasure Ground	Burton Ellis	- - -	Burton Ellis.
220	Pleasure Ground	Harland Bullock, John Cameron.	- - -	Harland Bullock, John Cameron.
221	Pleasure Ground	William Harrison	- - -	Robert Ellis, William Ware, Miss Hitchman.
222	Pleasure Ground	John Speck	- - -	John Speck.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
223	Roadway on Cliff Top	The Local Board, Burton Ellis, John Cameron, Harland Bullock, William Harrison, John Speck, Edward Ridsdale Harding, —— Laver, —— Pickering, Lucy Makins, Mark Barr.	——	——
224	Pleasure Ground	Edward Ridsdale Harding.	- - -	Edward Ridsdale Harding.
225	Pleasure Ground	—— Laver, —— Pickering.	——	——
226	Field	Lucy Makins	- - -	John Harrison.
227	Private Footpath	Lucy Makins	- - -	John Harrison.
228	Field	Lucy Makins	- - -	John Harrison.
229	Road to Sands and Cliff Top.	The Local Board.	——	——
230	Wooden Bridge	The Local Board.	——	——
230*a*	Waste Ground	Mark Barr.	——	——
231	Sea Wall and Terrace	Lucy Makins.	——	——
232	Cliff	Cliff.	——	——
233	House and Lifeboat House.	Henry Marshall, The Reverend Henry Ward.	- - -	John Boddy, John Ross.
233*a*	Beach	Beach.	——	——
234	Stable	James Gray Mainprize.	- -	Joseph Ripley.
235	Stable	Robert Baron	- - -	Joseph Ripley.
236	House and Shop	William Smith	- - -	William Smith.
237	Hotel	Elizabeth Johnson	- - -	James Crannis.
238	House and Shop	Mathew Shepherdson.	- - -	Matthew Shepherdson.
239	House	Mrs. Barker	- - -	Mrs. Constable.
240	House	Mrs. Barker	- - -	Mrs. Meek.
241	House	William Massa	- - -	John Eggleston.
242	Cottage	Mrs. Sarah Elliott	- - -	Sarah Elliott.
243	Cottage	George Baron	- - -	John Wilson.
244	Cottage	Morris Headley, George Richardson.	- - -	William Jackson.
245	Cottage	Mary Chew	- - -	Mary Chew.
246	Public House	Mary Chew	- - -	Thomas Ashby.
247	House and Shop	Mary Chew	- - -	Matthew Knaggs.
248	Garden	John Frank Lamplugh.	- - -	John W. Morgan.

BRIGHOUSE.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Brighouse Local Board.

Whereas the Commissioners under the Brighouse Local Improvement Act (9 Vict. cap. ccclxxxv.), intituled "An Act for sewering, draining, and lighting "the Hamlet of Brighouse, in the Township of Hipperholme-cum-Brighouse, in "the Parish of Halifax, in the West Riding of the County of York," acting as the Local Board in and for the District of Brighouse aforesaid, have, in pursuance of the Local Government Act, 1858 (which has in part been duly adopted within such District), presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of the said Local Act, being an Act, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and for other purposes in such Petition set forth and specified:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said herein-before recited Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The powers, authorities, and duties of the said Commissioners under the unrepealed portions of the said Local Act, shall be transferred to a Local Board to be elected in the manner and form set forth and prescribed by the Local Government Act, 1858, within the period of one month from the date of the passing of any Act of Parliament confirming this present Order.

3.—The said Local Board for the District of Brighouse shall consist of twelve members, of whom one third shall retire annually at such time and in such manner as is prescribed by the Local Government Act, 1858.

4.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be hereby transferred to and vested in the said Local Board, and shall be held and applied by the said Local Board for the general purposes of such Local Board.

5.—All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if the portions of the Local Act specified in the said Schedule had not been repealed, and shall be paid and satisfied by the said Local Board as by such Commissioners: Provided always, that if such property and estate be insufficient for the purposes aforesaid, the deficiency shall be charged upon the rates leviable under the said Local Act and the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

Given under my hand, this sixth day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE to which this Order refers.

The sections to be repealed in the herein-before recited Local Act (9 Vict.) are the sections numbered respectively 1, 11, and 35.

BURNLEY.

Provisional Order altering a Local Act in force within the District of Burnley in the County of Lancaster.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Burnley in the County of Lancaster, acting in execution of the Burnley Improvement Act, 1854, and also as Local Board for the District of the said Borough in which the Local Government Act, 1858, has been partially adopted, have, in pursuance of the said last herein-before mentioned Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for an alteration and amendment of the Burnley Improvement Act, 1854, that being a Local Act of Parliament in force within the said District aforesaid, such Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit.

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—That the eighty-second section of the aforesaid "Burnley Improvement Act, 1854," which enacts, "That the Commissioners may and shall "make to all persons for gas supplied by the Commissioners a "uniform charge at so much as they from time to time determine for "every thousand cubic feet, but not exceeding the rate of three "shillings and sixpence for one thousand cubic feet," shall be repealed, and that in lieu thereof the following section shall be substituted; that is to say,—

"That the Commissioners, as now represented by the Corporation of "Burnley, shall have power to charge to all persons supplied with gas "within 'the Town' as defined by the 'Burnley Improvement Act, "1854,' (section 3,) a sum not exceeding three shillings and sixpence "per one thousand cubic feet; and to all persons supplied with gas "outside the boundaries of the said town, a sum not exceeding four "shillings and sixpence per one thousand cubic feet."

Given under my hand, this Twenty-seventh day of June, in the year One thousand eight hundred and sixty-four.

(Signed) G. Grey.

HENLEY.

Provisional Order partially repealing and altering a Local Act in force within the District of Henley-upon-Thames in the County of Oxford.

Whereas the Henley-upon-Thames Local Board have, under the provisions of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of certain sections of the Local Act (21 Geo. 3. cap. 33., intituled "An Act for building a Bridge "over the River Thames at the Town of Henley-upon-Thames in the County "of Oxford, and making commodious Avenues thereto; for widening some "Part of the High Street and the Market Place; for lighting and watching, "for regulating the Footways in, and for removing Nuisances, Obstructions, "and Annoyances from, the said Town"), as set forth and specified in such Petition, and that such alterations may be made in the herein-before recited Local Act, and such powers and authorities vested in the Local Board aforesaid, as may be necessary to enable them to carry out the objects sought by such Petition.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and held in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Rawlinson, Esquire, the Inspector appointed for the purpose.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order —

1.—The parts of the Henley-upon-Thames Local Act aforesaid (21 Geo. 3. cap. 33.), specified in the Schedule hereunto annexed, shall be repealed.

2.—All the powers, duties, and authorities of the Corporation of the Town of Henley-upon-Thames, as the Commissioners for putting the said Act into execution, shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the repealed portions of the said Act which in case this Order had not been made and confirmed would have belonged to such Corporation as such Commissioners shall pass to the Local Board aforesaid.

3.—All existing debts and liabilities to or from or by such Corporation, acting as such Commissioners, shall respectively be paid to or satisfied by the said Local Board; and all payments in respect thereof by the said Local Board, including all such charges and expenses as such Corporation, acting as aforesaid, may incur in lighting and paving such part of the Henley-upon-Thames Local Board District as is under their jurisdiction until the Local Act aforesaid be repealed, may be made out of the General District Rates leviable in the said District under the Local Government Act, 1858, and all payments in respect thereof to the said Local Board shall go in aid of the General District Rates of the said District. And the future cost and expense of the execution by the said Local Board of the transferred powers and authorities shall be paid out of and form part of the General District Rates of the said District, and be subject to the provisions relating to General District Rates.

4.—The Local Board for the aforesaid District of Henley-upon-Thames shall be authorized and empowered to pay and discharge out of any rate or rates to be made by them under and by virtue of the Local Government Act, 1858, such charges and expenses as have been legally and duly incurred by the summoning officer or other person or persons engaged in and about the adoption of the said Local Government Act within the District of Henley-upon-Thames aforesaid.

Given under my hand this eighth day of February One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE to which this Order refers.

The parts of the Local Act 21 Geo. 3. cap. 33. herein-before referred to in this Order to be repealed, as described in such Order, are as follows; that is to say,

All the sections of the said Local Act from section 45 to section 63, both inclusive.

SHEFFIELD.

Provisional Order repealing a Local Act in force within the District of the Sheffield Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Sheffield in the County of York, acting as the Local Board for the said District of Sheffield, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the District aforesaid, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the fifty-eighth year of the reign of King George the Third, intituled "An Act for cleansing, lighting, watching, and otherwise "improving the Town of Sheffield in the County of York."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The said Local Act 58 Geo. 3. cap. 54. shall be wholly and entirely repealed; and the exemption from rating conferred by the proviso to the 16th section of the said Act shall cease.

2.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then their debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

4.—All expenses under the said Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

Given under my hand this sixth day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SHIPLEY.

Provisional Order partially repealing and altering a Local Act in force within the District of Shipley, Yorkshire, and to extend the Borrowing Powers of the Local Board for that District.

Whereas the Local Board of Health in and for the District of Shipley, in the Township of Shipley, in the West Riding of the County of York, to which the Public Health Act, 1848, was duly applied by an Order of Her most Gracious Majesty in Council, bearing date the 21st day of February, 1853, have under the powers of the Public Health, Act, 1848, and the Shipley Waterworks and Police Act, 1854, executed Works of Water Supply:

AND WHEREAS the said Local Board have borrowed, for the purposes of such Water Supply, and with the authority of the General Board of Health, the sum of 14,000*l.*, authorized by the said Shipley Waterworks and Police Act, 1854:

AND WHEREAS the said Local Board have, with the authority of the General Board of Health and of Her Majesty's Principal Secretary of State for the Home Department, borrowed on security of the Special and General District Rates of the said District the sum of 18,050*l.*, of which the sum of 9,500*l.* has been applied for the purposes of Water Supply:

AND WHEREAS the sums so borrowed have proved insufficient for the construction of adequate Waterworks:

AND WHEREAS the said Local Board have, in pursuance of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying that the said Shipley Waterworks and Police Act, 1854, may be altered, by enlarging the borrowing powers under the said Act to the sum of 40,000*l.*:

And that the said Local Board should be at liberty to exchange the mortgages securing the sums amounting to the said sum of 9,500*l.* so borrowed as aforesaid, or any such mortgages, for mortgages of like amount, to be issued under the said enlarged borrowing power:

And whereas in pursuance of the said Local Government Act, 1858, inquiry has been directed in the District, in respect of the several matters mentioned in the said Petition:

And whereas it appears to me expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, 1858, I, as Her Majesty's Principal Secretary of State for the Home Department, do by this Provisional Order, under my hand direct that from and after the passing of any Act of Parliament confirming this Order, as follows:—

1.—The 38th Section of the Shipley Water Works and Police Act, 1854, shall be read as if the words "Forty thousand Pounds" had been inserted therein in the place of the words "Fourteen thousand Pounds."

2.—In case any persons holding mortgages for securing the sums amounting to the said sum of 9,500*l.*, borrowed for the purposes of the Water Supply of the said District on the security of the Special and General District Rates of the District, shall desire to exchange the same mortgages for mortgages of like amount to be issued under the powers of the said 38th Section of the Shipley Waterworks and Police Act, 1854, so altered as aforesaid, the said Local Board may exchange the same accordingly, and the amounts of such exchanged mortgages shall be deemed to have been borrowed as part of the said sum of 40,000*l.* authorized to be borrowed by the Shipley Waterworks and Police Act, 1854, so altered as aforesaid.

Given under my hand this 16th day of February 1865.

(Signed) G. Grey.

WALLINGFORD.

Provisional Order repealing a Local Act in force within the District of the Wallingford Local Board.

Whereas the Local Board for the District of the Borough of Wallingford in the County of Berks, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the partial repeal of a certain Local Act of Parliament (35 Geo. 3.) in force within the District aforesaid, the said Act having relation to the purposes of the said

Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the thirty-fifth year of the reign of King George the Third, intituled "An Act for paving the footways, and for cleansing, "lighting, watching, and regulating the streets, lanes, passages, and places, "within the Borough of Wallingford in the County of Berks, and for "removing and preventing nuisances, annoyances, encroachments, and "obstructions therein."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the matters mentioned in the said Petition, by Robert Morgan, Esquire, the Inspector appointed for that purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The section of the said Local Act 35 Geo. 3. cap. 75. specified in the Schedule hereunto annexed shall be retained.

2.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then such debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

4.—All expenses under the said Local Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

Given under my hand this First day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE to which this Order refers.

The section of the herein-before recited Local Act (35 Geo. 3. cap. 75.) to be retained is section 48., saving the rights of the Corporation of Wallingford and others to prevent nuisances.

LLANGOLLEN.

Provisional Order for extending the Borrowing Powers of the Llangollen Local Board.

Whereas the Local Board for the District of Llangollen in the County of Denbigh have received the sanction of the Secretary of State to borrow, under the provisions of the Local Government Act, 1858, sums, amounting in the whole to 4,562*l.* 10*s.*, to defray the expense of works in the said District, being works of a permanent nature under the aforesaid Act; and whereas a further sum will be required to carry out and complete the said works, and to carry out other works of a permanent nature, but such further sum, with the herein-before mentioned 4,562*l.* 10*s.*, will exceed the assessable value for one year of the premises assessable under the said Act within such District.

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to re-borrow the said sum of 4,562*l.* 10*s.*, and to borrow any further sum on mortgage of the rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, the said two sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Llangollen in the County of Denbigh shall have power and authority to re-borrow the said sum of 4,562*l.* 10*s.*, and to borrow any further sum or sums for the execution and completion of the aforesaid works, or for the carrying out of any other works of a permanent nature, on mortgage of the rates leviable by the Local Board aforesaid, under the aforesaid Act, the said sums not exceeding in the whole two years' assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Seventh day of February One thousand eight hundred and sixty-five.

(Signed) G. Grey.

ORMSKIRK.

Provisional Order for extending the Borrowing Powers of the Ormskirk Local Board of Health.

Whereas the Public Health Act, 1848, has been duly applied to the District of Ormskirk in the County of Lancaster.

And whereas the Local Board of Health for the said District have borrowed, under the Provisions of the aforesaid Act and of the Local Government Act, 1858, sums, amounting in the whole to 11,700*l.*, to defray the expense of works for the Sewerage of and Supply of Water to the said District, being works of a permanent nature under the aforesaid Acts; and whereas a further sum will be required to carry out and complete the said works, and to carry out other works of a permanent nature, but such further sum, with the herein-before mentioned 11,700*l.*, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to re-borrow the said sum of 11,700*l.*, and to borrow a further sum on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, the said sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Ormskirk in the County of Lancaster shall have power and authority to re-borrow the said sum

sum of 11,700*l.*, and to borrow any further sum or sums for the execution and completion of the aforesaid works and other works of a permanent nature, and on mortgage of the rates leviable by the Local Board of Health aforesaid, under the aforesaid Acts, the said sums not exceeding in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this third day of February One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SWANSEA.

Provisional Order for extending the Borrowing Powers of the Swansea Local Board of Health.

Whereas the Public Health Act, 1848, has been duly applied to the District of the Borough of Swansea in the County of Glamorgan.

And whereas the Local Board of Health for the said District have duly borrowed, under the provisions of that Act and of the Local Government Act, 1858, sums, amounting in the whole to Sixty-eight thousand Pounds, to defray the expense of works for the drainage of and supply of water to the said District, being works of a permanent nature under the aforesaid Acts: And whereas, exclusive of the said sum of Sixty-eight thousand Pounds so borrowed, there existed at the time of the application of the aforesaid Public Health Act, 1848, by the said District, a debt of Eleven thousand Pounds due from the former Town Commissioners, which debt remains still due, a further sum will be required to carry out and complete the said works and to carry out other works of a permanent nature, but such further sum, with the sums herein-before mentioned, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which, with the amounts herein-before mentioned, shall not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas, after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Swansea in the County of Glamorgan shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum which, together with the debt of Eleven thousand Pounds, and the sums already sanctioned to be borrowed by the Local Board aforesaid, shall not exceed in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this second day of February One thousand eight hundred and sixty-five.

(Signed) G. Grey.

TORMOHAM.

Provisional Order for extending the Borrowing Powers of the Tormoham Local Board of Health.

Whereas the Public Health Act, 1848, has been duly applied to the District of Tormoham in the County of Devon.

And whereas the Local Board of Health for the said District have duly borrowed, under the provisions of that Act and of the Torquay Waterworks Act, 1856, of the Local Government Act, 1858, and of the Local Government Supplemental Act, 1864 (No. 2.), sums, amounting in the whole to Fifty-seven thousand Pounds, to defray the expense of works for the drainage of and supply of water to the said District, and other works of a permanent nature under the aforesaid Acts: And whereas, exclusive of the said sum borrowed and now remaining due and payable from such Local Board, a further sum will be required to carry out and complete the said works and to carry out street improvements and other works of a permanent nature, but such further sum, with the sums herein-before mentioned, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her

Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums not exceeding altogether Thirty thousand Pounds additional, which, with the amounts herein-before mentioned, will not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS, after due inquiry and report by ROBERT MORGAN, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Tormoham in the County of Devon shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature and of street improvement within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum which, together with the debt of Fifty-seven thousand Pounds, so already borrowed by the Local Board aforesaid, and now remaining unpaid and due, shall not exceed in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this eighth day of February One thousand eight hundred and sixty-five.

(Signed) G. GREY.

LOCKWOOD.

Provisional Order for altering the Boundaries of the District of Lockwood, in the Parish of Almondbury, in the West Riding of the County of York, under the Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the Township of Lockwood, in the Parish of Almondbury, in the West Riding of the County of York; and whereas a Petition has been duly presented to me as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, from the Local Board for the Township of Lockwood aforesaid, praying that the District of the said Local Board might be extended by including therein certain pieces or parcels of land in the adjoining Township of South Crosland, as described in the said petition from such Local Board.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly held in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of Lockwood, in the Parish of Almondbury, in the West Riding of the County of York, shall be extended by including within its boundaries the pieces or parcels of lands which are known respectively by the names of Battye's Farm (containing 77A. 1R. 35P. or thereabouts), Battye's Farm Common right (containing 25A. 2R. 30P. or thereabouts), and Beaumont's Croft (containing 3A. 2R. 14P. or thereabouts); also the whole breadth of such portion of France Lane between the numbers 1^a and 2^a on the plan accompanying the aforesaid Petition as is co-extensive with and adjoins upon the said Battye's Farm Common right, being a length of 332 yards or thereabouts.

2.—The Local Board for the time being for the District of Lockwood shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same.

Given under my hand this Fifth day of July in the year One thousand eight hundred and sixty-four.

(Signed) G. Grey.

Local Government Supplemental.

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Bradford, Bridlington, Brighouse, Burnley, Henley, Sheffield, Shipley, Wallingford, Llangollen, Ormskirk, Swansea, Tormoham, and Lockwood.

(*Prepared and brought in by*
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
7 *March* 1865.

[Bill 58.]

Under 6 *oz.*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Derby, Ramsgate, Oswestry, Bury, Heap, Cockermouth, Matlock Bath, and Bromsgrove.

Preamble.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the *passing of this Act*, be absolute

Proviso as to Lands in Ramsgate of the Board of Trade not being taken without Consent.

and be as binding and of like Force and Effect as if the Provisions of the same had been expressly enacted in this Act: Provided always, that nothing in this Act or in the Order hereby confirmed shall be deemed to empower the Local Board of Ramsgate to enter upon, take, or use any of the Lands, Hereditaments, or Works vested in the Board of Trade by "The Harbours and Passing Tolls, &c. Act, 1861," without or otherwise than in accordance with the previous Consent in Writing of the Board of Trade under the Hand of One of the Secretaries of the said Board.

Annual Payment to Matlock Local Board by Matlock Bath Local Board for Highway Purposes.

2. On the *First Day of January* in every Year the Local Board for the District of Matlock Bath shall, out of the Rates for that District, pay to the Local Board for the District of Matlock the annual Sum of *Twenty Pounds*, towards the Repair of the Highways within the District of Matlock, but a proportionate Part only of the said Sum, calculated from the Day on which this Act comes into Operation, shall be payable on the *First Day of January* next ensuing on the passing of this Act; and the Local Board for the District of Matlock Bath are hereby authorized to treat the said yearly Payment as an Expenditure for Highway Purposes, and to include the same in Highway Rates and Accounts accordingly.

Act incorporated with 21 & 22 Vict. c. 98.

3. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

4. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865 (No. 2)."

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. Derby.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement, for Street Improvements.
2. Ramsgate.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Street Improvements.
3. Oswestry (Salop).—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Drainage and other Works.
4. Bury (Lancashire).—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Street Improvements.
5. Heap (Lancashire).—Putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board of the Middle Division of Heap (Lancashire) for the Purchase and taking of Lands otherwise than by Agreement, for Street Improvements.
6. Cockermouth.—Putting in force the Lands Clauses Consolidation Act, 1845, within the Cockermouth Local Board District for the Purchase of Lands by the Local Board of the District, for Works of Drainage, &c.
7. Cockermouth.—Extending the borrowing Powers of the Local Board.
8. Matlock.—Altering the Boundaries of the District of Matlock in the County of Derby under the Local Government Act, 1858.
9. Bromsgrove.—Altering the Boundaries of the District for the Purposes of the Local Government Act, 1858.

DERBY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Derby in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Derby in the County of Derby, by the Council of such Borough, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed ROBERT MORGAN, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this order—

The said Local Board of Health for the District of Derby aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-first day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:—

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Shop, show, and store rooms.	Eliza Bent, as acting trustee of the late Dr. Bent.		Joseph Linnell Carter.
2	House, shop, and yard	Joseph Bolus -	George Warwick Husband.	George Warwick Husband.
3	House and shop -	Elizabeth Eld -	Frederick Ward -	Hatters' Industrial Association, James Dyson, secretary and manager, Manchester; Edwin Oldham, Agent at Derby.
4	House and shop -	Elizabeth Eld -		John Harvey.
5	Shop, show room, work room, and warehouses.	Lord Scarsdale -	James Haskew -	James Haskew.
6	House and shops -	Anne Stevens; Wm. Hall (trustee.)	Henry Spencer and Thomas Lloyd.	Thomas Lloyd.
7	House, shop, yard, and the warehouse adjoining melting house.	William Hall - -		Samuel Cantrell.
8	Melting house and rooms over.	Anne Stevens; Wm. Hall (trustee.)	Henry Spencer -	Henry Spencer.
9	House and shop -	Frances Alice Moss -		Jean Dequé.
10	House, shop, workshop, and yard.	Sarah Ann Brown -		Robert Watts.
11	House, shop, warehouse, and yard.	Sarah Ann Brown -		James Bown Hopkinson.
12	Shop, show rooms, workshops, and yard.	Sarah Ann Brown -		John Ward and Joseph Ward.
13 14	House and plumber's shop in yard.	Sarah Ann Brown -		Jabez Porter.
15	House, shop, yard, and warehouse.	Wm. Thos. Cox and Jane Cox.		Weatherhead, Walters, & Co.
15a	Warehouse in yard (old mill.)	Rev. John Cox -		Weatherhead, Walters, & Co.
16	Wine and spirit vaults and warehouses.	Wm. Thos. Cox and Jane Cox.		Edward Weatherhead and James Drewry, (Hallam's executors); William Wykes, manager.
17	House, shop, warehouses, garden, and yard.	Richard Jones -	William Medley -	William Medley.
18	House, shop, printing and binding offices, outbuildings, garden, and yard.	James Alfred Rowbottom, Henry Burn, and Esther Rowbottom.		James Alfred Rowbottom.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
19	House, shop, offices, yard, and photographic rooms.	Executors of the late Franz Wilhelm Thelen (James Brennen and Richard John Hodges.)		Elizabeth Thelen, Samuel Whitaker, and James Brennen.
20	House, shop, show rooms, workshops, warehouses, and yard.	Crompton, Newton, & Co.		Samuel Evans.
21	Houses and shops -	Town and County Library, Building Fund; John Nicholas Kahrs, Secretary.		Thos. Griffiths and William Enoch Ford.
21a	Late Town and County Library, offices, and news room.	Town and County Library, Building Fund; John Nicholas Kahrs, Secretary.		(Void.)
22	Old warehouse or shop	Jeremiah Briggs -		(Void.)
23	That portion of All Saints Churchyard abutting on Iron Gate and Queen Street, from Amen Alley to College Place.	Simeon's Trustees, viz.:—Rev. Canon William Carus, Rev. John Venn, Rev. Edmund Hollond, Rev. Edward Auriol, and Rev. William Cadman; Rev. Edward Walwyn Foley, the Incumbent.		Rev. Edward Walwyn Foley, Incumbent, Henry Howe Bemrose, and Benjamin Brindley, Churchwardens.
24	Warehouse - -	Henry Cox - -	James and George Haywood.	James and George Haywood.

RAMSGATE.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Ramsgate in the County of Kent, for the Purchase of Lands by the Local Board of the aforesaid District for Street Improvements and other Works.*

Whereas the Commissioners for improving the Parish of Ramsgate in the County of Kent, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings, messuages, and premises to enable them to form and widen streets and roads, to build certain bridges and make proper approaches thereto, and to execute certain other public works within such District of Ramsgate.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed ROBERT MORGAN, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Commissioners acting as the Local Board for the District of Ramsgate shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plans accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-first day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, are the following :—

FIRST PART.

Comprising the LANDS required for the intended NEW ROAD from HARBOUR STREET to WELLINGTON CRESCENT.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
73	Ship Inn Public House, Buildings, and Land.	Richard Tomson, Hugh Block, Alexander Robinson, Martin Long Daniel, William Henry Frend, Thomas Wotton.	- - - -	Henry Keene.
74	House and Land -	Sarah Laming Williams.	- - - -	Neame Baker Kennard.
74*a*	Ditto - -	Reverend Henry Joseph Bevis.	Samuel Redgrave Wilson.	Samuel Redgrave Wilson.
75	House, Buildings, and Land.	Charlotte Rammell, George Rammell, Robert Lake.	Elijah Leach -	Elijah Leach.
76	House and Land -	Thomas Ferrett -	- - - -	Thomas Ferrett.
77	Ditto - -	Thomas Spain -	- - - -	William Stanner.
78	Two Houses and Land	Robert Fowler -	- - - -	Stephen Pilcher. William Forwood.
79	Yard - -	Thomas Ferrett, Thomas Spain, Robert Fowler.	—	—
80	House and Land -	John Cuttler -	- - - -	John Cuttler.
81	Ditto - -	Mary Martha Pantin	- - - -	Mary Martha Pantin.
82	Ditto - -	Harriet Fowler Hughes.	- - - -	Harriet Fowler Hughes.
83	Stables and Land -	Susannah Elizabeth Bax.	- - - -	George Wattson.
84	Buildings and Garden Land.	Board of Trade -	- - - -	Francis Shaw.
85	Garden and Land -	Joseph Canham, James Joseph Barry, Devisees of Mary Hannah Wade Gery, Harriett Elliott, Sarah Hodges, Stephen Knight, Susannah Elizabeth Bax,	—	—

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
		Joseph Low, George Perkins and Elizabeth Frazer his Wife, William Miller, Edward Charles Hales Wilkie, George Page, Henry Page.		
86	Land now used as a Road.	Board of Trade	- - - -	Robert Brain, Joseph Hazeldine, George Pritchard, Joel Culmer Hurst.
87	Land	Edward Charles Hales Wilkie.	James Stock Daniel, Lodowick Anderson Pollock, Henry Curling, John Cuttler, George Silvanus Snowden, George Smale Potter.	George Smale Potter and the other Lessees.
88	Garden Ground	William Miller	- - - -	Augustus Cooper.

SECOND PART.

Comprising the LANDS required for the improvement of the ROAD from the SOUTH EAST end of HARBOUR STREET to the SOUTH WEST side of SION HILL.

89	Storehouses, Buildings, and Land.	Board of Trade	- - - -	Board of Trade, Samuel Beeching, Thomas Moses, George Stevens, junior.
90	Land	Hunter	- - - -	James Smith.
91	House and Land	Frances Smith	James Smith	Frances Smith.
92	House, Shop, and Land.	Thomas Parnell	- - - -	John Thomas Williams, George Williams.

THIRD PART.

Comprising the LANDS required for the improvement of YORK STREET and QUEEN STREET.

1	Dwelling House and Land.	Elizabeth Saxby, James Saxby.	- - - -	Lewis Finch.
2	House and Land	Sophia Curling	Herbert Horne	Herbert Horne.
3	Ditto	Daniel Saunders Bradford.	- - - -	Charles Moody.
4	Ditto	Ann Dawson	- - - -	John Woodhurst.
5	Ditto	Harriet Foat	- - - -	Henry William Britton.
6	Ditto	Ditto	- - - -	John Dernocour.
7	Bakehouse and Land	Ann Bayly	- - - -	Dominico Cozza.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
8	House and Land -	John Christian -	- - - -	John Cristian.
9	Land Site of Passage -	Samuel Neunes Carvalho Alexander Israel Montefiore.	Augustine Tourneur	Augustine Tourneur.
10	House and Land -	John Burt - -	Charles Marriatt Bennett.	William Burton.
11	Ditto - -	Martin Commerford	- - - -	Edmund Wattson, Maria Reading.
12	Ditto - -	Ann Dawson -	- - - -	Alfred Bowler.
13	Ditto - -	Mary Ann Grundy -	- - - -	Robert Pilcher.
14	Shops, Stores, and Land.	William Crickett -	- - - -	William Crickett, Thomas Sutton.
15	House and Land -	Catherine Daniel -	- - - -	Catherine Daniel, Martin Long Daniel, Charles Daniel.
16	Land - -	George Martin Hinds.	- - - -	George Martin Hinds.
17	House and Land -	William Fagg -	- - - -	William Fagg.
18	Land - -	George Vye - -	- - - -	George Vye.
19	House and Land -	George Dunn -	- - - -	George Dunn.
20	Land - -	George Vye, James Stock Daniel, Martin Long Daniel, Charles Daniel.	—	—
21	House and Land -	Joseph Marriott -	- - - -	Joseph Marriott.
22	Buildings and Land -	Richard Tomson, Hugh Block, Alexander Robinson, Martin Long Daniel, William Henry Frend, Thomas Wootton.	- - - -	Harriett Tomson, Thomas Wotton.
22*a*	House, Coal Store, and Land.	Stephen Wootton -	- - - -	John Millen.
23	Land - -	John Dawson, George William Rowley.	- - - -	Vacant.
24	Ditto - -	Ditto - -	- - - -	Selina Anderson.
25	Ditto - -	Elizabeth Jane Richards.	- - - -	Eliza Lackett.
28	House and Land -	Samuel Neunes Carvalho Alexander Israel Abraham.	Augustine Tourneur	Augustine Tourneur.
29	Ditto - -	Sarah Maria Fox -	Jens Peter Jensen -	Jens Peter Jensen.
30	Ditto - -	Ditto - -	Harriett Frances King.	Harriett Frances King.
31	Ditto - -	William Standing, Richard James Spiers.	James Bates -	James Bates.
32	Ditto - -	John Leake Jarman, Jane Vye.	- - -	William Woodruff.
	Buildings and Land -	William Crickett, Richard Hope.	- - - -	Joseph Clark, Frederick Knott, John Macy, Thomas Finch, William Webb.
	Land - -	George Page -	- - - -	George Page.

FOURTH PART.

Comprising the LANDS required for the widening the footpath leading from QUEEN STREET into CHAPEL PLACE.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
26	Land	Trustees of St. John's Hospital.	- - - -	Thomas Norman Wightwick.
27	Ditto	Richard Tomson, Hugh Block, Alexander Robinson.	- - - -	Ditto.

FIFTH PART.

Comprising the LANDS required for the making a CARRIAGEWAY from PROSPECT ROW into NELSON CRESCENT.

73	Land	John Medmer Goodwin.	Susannah Harlow, Thomas Kiddams Forwalk and Frances his Wife.	Susannah Harlow, Thomas Kiddams Forwalk and Frances his Wife.
74	Ditto	Eliza Shepherdson	- - - -	Edward Boys.
75	Ditto	Mary Fowler	- - - -	William Edward Adams, Ann Hoffman.
76	Ditto	Humphrey Bourn and Elizabeth Bourn his Wife.	Sarah Millgate King	Sarah Millgate King.
77	Ditto	Eliza Shepherdson	- - - -	Eliza Shepherdson.
78	Ditto	- - - -	- - - -	Thomas Cousins.
79	Ditto	Richard Hope	- - - -	Eliza Hope, Jane Hope.
80	Ditto	Richard Hope, John Kebell Gwyn.	- - - -	Catherine Ninham.
81	Site of Wall	John Medmer Goodwin, Eliza Shepherdson, Mary Fowler, Humphrey Bourn and Elizabeth Bourn his Wife, Richard Hope, John Kebell Gwyn.	—	—

SIXTH PART.

Comprising the LANDS required for the improvement of KING STREET.

28	Two Houses and Land	Lydia Righton	William Hatch Rolfe	William Hatch Rolfe, Frederick Rolfe.
29	Three Cottages and Land.	Ditto	- - - -	Samuel Day, Sarah Head, Charlotte Thomas.
30	House and Land	William Woodland	- - - -	Robert Maxted.
31	Ditto	Emma Gisby	- - - -	Joseph Hughes.
32	Ditto	Samuel Brockman	- - - -	Samuel Brockman.
33	Ditto	Ditto	- - - -	Henry Woodward.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
34	House, Forge, and Land.	William Coules	- - - -	William Coules.
35	Two Houses and Land	Fanny Sutton	- - - -	Fanny Sutton, William Crosoer.
36	House and Land	William Mascall	- - - -	Thomas Gore.
37	Two Houses and Land	Henry Charles Markcrow.	- - - -	Edward Barnett, James Budds.
38b	House and Land	William Danton Sandwell.	- - - -	William Danton Sandwell.
39	Ditto	Hammond Fassam	- - - -	Hammond Fassam.
40	Two Houses and Land	Frederick Lewis Crow.	- - - -	Empty, Samuel Lazarus.
41	Three Houses and Land.	Ann Stevens	- - - -	William Fielding, Maria Harris, Henry Hopson.
42	House and Land	William Turrall	- - - -	William Turrall.
43	Ditto	William Edward Smith.	- - - -	Peter Carr.
44	Ditto	Ditto	- - - -	Robert Harvey.
46	Ditto	Thomas Karn	- - - -	William Twyman.
47	Ditto	Ditto	- - - -	Thomas Karn.
48	Buildings and Land	William Edward Smith.	- - - -	William Edward Smith.
49	House and Land	Ellen Clay, ——— Clay.	- - - -	George Henry Marriatt.
50	Ditto	Ditto	- - - -	Henry Challen.
51	Ditto	George Blackburn	- - - -	Edward Johnson Hobbs.
52	Ditto	Ann Gold	- - - -	John Denne, Mrs. —— Lording.
53	Garden	Ditto	- - - -	Mrs. ——— Lording, William Harrison, Mary Laming.
54	House and Land	Ditto	- - - -	Mary Laming.
55	Ditto	Ditto	- - - -	Ann Gold.
56	Two Houses and Land	Hannah Huckstep, Walter Mongor.	- - - -	Elizabeth Pemble, George Cribbens.
57	House and Land	Ditto	- - - -	John Holman.
58	Land	Ditto	- - - -	Hannah Huckstep, Elizabeth Pemple, George Cribbens, John Holman.
59	Coal Store	Ditto	- - - -	Walter Mongor.
60	Land	Amey Challis	- - - -	Robert Hughes, John Maxted.
61	House and Land	Ditto	- - - -	Robert Hughes.
62	Ditto	Thomas Smith Thorpe.	- - - -	John Maxted.
63	Ditto	Benjamin Musten	- - - -	George Moore.

SEVENTH PART.

Comprising the LANDS required for the improvement of HIGH STREET.

58	House and Land	George Burgess, John Burgess, Peter Burgess, Charles John Burgess, Henry Miles Burgess, Thomas Woolley Burgess.	William Alexander Hunt.	William Alexander Hunt.
			- - - -	Francis Sayer.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
59	House known as the "New Inn," and Land.	Francis William Cobb, Henry Chippendale, Thomas Francis Cobb, Francis Carr Cobb, John Chippendale.		
60	House and Land	Emma Henry	William Stidolph	William Stidolph.
61	Ditto	Richard Wraight	- - - -	Richard Wraight.
62	Ditto	William Hudson	Edmund Baldwin	Edmund Baldwin.
63	Buildings and Land	Ditto	- - - -	William Hudson.
64	Land	John Thomas	John Crow Twyman	John Crow Twyman.
65	Ditto	Stephen Tring, Henry Alliston.	Thomas Mayers	Thomas Mayers.
66	Ditto	Ditto	John Barnet Hodgson.	John Barnet Hodgson.
67	Ditto	John Barnet Hodgson.	- - - -	Robert Hicks.
68	House and Land	Michael John Doyle	Henry Maxted	Henry Maxted.
69	Ditto	Susannah Elizabeth Bax.	George Earl Attwood	George Earl Attwood.
70	Ditto	Ditto	- - - -	Frances Baldock.
71	Ditto	Frances Cook	- - - -	Frances Cook.
72	House and Land	George Silvanus Snowden.	- - - -	George Silvanus Snowden.
	All the Land lying between the House No. 78 and the Street.	Stephen Philpott	- - - -	Stephen Philpott.
	All the Land lying between the House No. 37 and the Street.	Frederick Lewis Crow.	- - - -	Edward William Cherrill.
	All the Land lying between the House No. 38 and the Street.	Ditto	- - - -	Thomas Spratt.

EIGHTH PART.

Comprising the LANDS required for the intended NEW ROAD from HIGH STREET into CHATHAM STREET.

94	Land	George Wilson	- - - -	George Wilson.
95	Ditto	Edward Francis Stratton Reader.	- - - -	Susan Woodward.
96	House and Land	Ditto	- - - -	David Brown.
97	Ditto	Ditto	- - - -	Maria Webb.
98	Land	Charles Townley	Maria Louisa Mann	Maria Louisa Mann.
	Ditto	Ditto	Ditto	Ditto.

NINTH PART.

Comprising the LAND required for the improvement of the ROAD in front of the PARAGON.

81	Land	Reverend Thomas Blandford.	- - - -	Mary Oney.

OSWESTRY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Oswestry in the County of Salop, for the Purchase of Lands by the Local Board of the aforesaid District for Drainage and other Works.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Oswestry in the County of Salop, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works for the supply of water, and also for drainage and irrigation works.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Oswestry aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Fourth day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

Schedule

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:—

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Field	Mrs. Mary Jane Ormsby Gore.	- - - -	John Jones.
2	Field	Same	- - - -	David Jones.
3	Cottage and Garden	Same	Thomas Hughes	Thomas Hughes.
4	Cottage and Garden	Same	Same	Alexander Humphreys.
5	Cottage	Same	Same	Thomas Rogers.
6	Occupation Road	Same, and Thomas Hughes.	- - - -	Thomas Hughes, Alexander Humphreys, and Thomas Rogers.
7	Cottage and Garden	Mrs. Mary Jane Ormsby Gore.	- - - -	John Williams.
8	Field, Footpath, and Stream.	Philip Jennings, Esq.	- - - -	Richard Jones.
9	Turnpike Road	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	——	——
10	Field, Carriage Road, Stream, and Occupation Road.	Philip Jennings, Esq.	- - - -	Richard Jones.
11	Field	Same	- - - -	Same.
12	Field and Stream	Mrs. Mary Jane Ormsby Gore.	- - - -	Sarah Hughes.
13	Plantation and Shrubbery.	Same	- - - -	In hand.
14	Lodge and Carriage Drive.	Same	- - - -	In hand, and Samuel Morris.
15	Field or Lawn	Same	- - - -	Same.
16	Field and Stream	Same	- - - -	Same.
17	Field and Stream, and Footpath.	Philip Jennings	- - - -	Richard Jones.
18	Field and Stream	Mary Jane Ormsby Gore.	- - - -	George Morrall Bickerton.
18a	Garden and Stream	Same	- - - -	Same.
19	Field, Stream, and Hovel.	George Henry Warrington Carew.	- - - -	Edward Edwards.
20	Occupation Road	Mary Smale	- - - -	Elizabeth Baylis, Jane Jones, Josiah Williams, Mary Ann Bromley, Martha Peate, John Davies, Thomas Jones, and John Thomas.
21	Garden Ground	Mrs. Mary Jane Ormsby Gore.	- - - -	In hand for Almshouses.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
22	Turnpike Toll House and Gates.	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	- - - -	Edward Smith.
23	Occupation Road -	John Wynne Eyton, Esq., Richard Jones, and Ann Jane and Maria Roberts.	- - - -	John Roberts, Thomas Price Parry, Richard Jones, Simon Roberts, Hugh Lang, Edward Lloyd, Henry Jones, and John Thomas.
24	Turnpike Road -	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	—	—
25	Field, Footpath, Stream, and Occupation Road.	Ann Jane and Maria Roberts.	- - - -	Henry Jones.
26	Field, Footpath, and Stream.	Rowland Jones Venables, Esq.	- - - -	Thomas Jackson.
27	Occupation Road -	John Nield, Thomas Davies, Thomas Jones, James Redrobe, Jane Lloyd, William Richards, The Trustees of the Primitive Methodist Chapel, Thomas McKiernin, George Morris, Edward Tanner, Thomas Edwards, and John Evans.	- - - -	John Nield, John Thomas, Jacob Williams, John Bayley, Thomas Evans, Richard Williamson, John Owens, William Mason, Samuel Cookson, Edward Richards, Thomas Thomas, Joseph Phillips, Mary Jones, John Bromham, John Jones, Edward Davies, Edward Harwood, Peter Williams, William Lloyd, John Edwards. John Jones, Ann Leeke, Isaac Jones, Joseph Williams, Mary Morris, Charles Andrews, William Richards, Trustees of the Primitive Methodist Chapel, Robert Jones, Joseph Alfred Ludlow, Mary Agnes Eyeley, Catherine Thomas, William Garbutt, David Jones, William Jenkins, Robert Edwards, Richard Newill, James Thompson, Ellis Davies, Joseph Phillips, George Morris, Reverend Frederick Cashell, Edward Tanner, George Micklewright, Edward Bates, Robert Kelly, John Jones, Thomas Edwards, and John Evans.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
28	Chapel - -	The Trustees of the Primitive Methodist Chapel, Samuel Ward, Job Lea, Edward Parry, and Thomas Rowlands.	——	——
29	Rope Walk, Stream, and Road.	Thomas McKiernin	- - - -	In hand.
30	Occupation Road and Stream.	Susannah Pearce, Richard Pearce, Robert Jones, Thomas Jones, and Thomas McKiernin.	- - - -	Richard Tomley, Thomas Jones, Richard Pearce, Mrs. Susan Davies, Griffith Evans, Robert Jones, Thomas Madeley, Samuel Wrench, Isaac Williams, Henry Tooley, John Jones. David Evans, Henry Lloyd, Thomas McKiernin, Sarah Thomas, John Sangers, Edward Thomas, Joseph Townley, and David Roberts.
31	House, Building, and Stream.	Susannah Pearce -	- - - -	William Lewis.
32	Timber Yard, Sheds, House, Garden, Stream, and Orchard.	Walter Edwards -	- - - -	Isaac Holland.
32*a*	Three Cottages, Workshop, and Garden.	Henry Lewis -	- - - -	Henry Lewis, Francis Watson, and Lewis and Son.
33	Occupation Road -	Richard Pearce, Robert Jones, The Trustees of the Calvinistic Chapel, John Goodwin, Edward Jones, Thomas Davies, John Richards, John Hurdsman, Richard Vaughan, John Tunley, and James Richards.	- - - -	William Jones. John Ellis, Thomas Morgan, John Edwards, William Williams, Edward Richards, Thomas Evans, Griffith Griffiths, Richard Pugh, Edward Jones, Mrs. Margaret Eaton, James Edwards, Samuel Sides, Robert Jones, Mrs. Catherine Sykes, John Jones, Job Gotridge, Peter Capper, Samuel Tench, James Paddock, Elizabeth Jones, David Edwards, Richard Jones, William Jones, Edmund Bridden, Charles Woodworth, John Davies, Alfred Cluff, Catherine Jones, Robert Colly, Joseph Higgins, Samuel Daniels, Mrs. Mary Tunna, John Williams, John Evans, Henry Wright, Edwin Davies, Samuel Pearce, Edward Ro-

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
				berts, Daniel Campbell, Edward Price, John Thomas, Thomas Meredith, Edward Edwards, Thomas Oliver, Edwin James, Henry Green, Hugh Jones, William Frost, David Hughes, John Richards, Thomas Morgan, John Cowdry, William Jones, Thomas Hollings Pryce, William White, Thomas Trillow, Thomas Hughes, Edward Lewis, John Jones, Charles Bland, Isaac Smith, Edward Griffiths, George Allen, Richard Vaughan, John Eaton, Thomas Bubb, and James Richards.
34	Turnpike Road -	The Commissioners of the Holyhead Road, John Haywood, Clerk.	—	—
35	Road - -	Great Western Railway Company.	- - - -	Great Western Railway Company.
36	Wharves, Sidings, Railway, and Sheds.	Same - -	- - - -	Same, and William and John Morris and James Morris.
37	Road, Wharf, Stream, Siding, and Railway.	The Cambrian Railway Company.	Thomas Savin.	—
37*a*	Station and Warehouse.	Same - -	Same.	—
38	Waste Land -	Thomas Savin -	- - - -	Thomas Savin.
39	Garden - -	Boydell Jones Croxon.	- - - -	Henry Thomas.
39*a*	Occupation Road -	Same, and Henry and Ellen Thomas, Robert Evans, John Thomas, The Trustees of the Wesleyan Chapel, William Jones and Thomas Griffiths, Jane Bolver, Richard Hughes, and Catherine Whitridge.	- - - -	Thomas Horner, John Duncan, John Macgregor Mills, John Munslow, Nathaniel Pryce, John Thomas, Trustees of the Wesleyan Chapel, William Jones and Thomas Griffiths, Jane Bolver, John Criddle, Jonathan Cheeseman, John Jenkins, Thomas Edwards, Henry Knox, George Thomas, Thomas Ellis, James Revitt, William Warburton, Thomas Tunna, Ann Fagan, Joseph Ward.
40	Field and Stream -	John Jones -	- - - -	Edward Pryce.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
41	Railway Sheds, Landing, and Sidings.	The Cambrian Railway Company.	Thomas Savin.	——
42	Garden - -	William Morris -	- - - -	In hand.
43	Railway Siding -	Cambrian Railway Company, George Lewis, Secretary, and William and John Morris.	——	——
44	House, Buildings, Garden, and Road.	Cambrian Railway Company, George Lewis, Secretary.	- - - -	Edward Mansell.
45	Turnpike Road -	The Commissioners of the Holyhead Road, John Haywood, Clerk.	——	——
46	Garden - -	The Reverend Thomas Salwey.	- - - -	William Brentnall.
47	Waste Land - -	The Cambrian Railway Company, George Lewis, Secretary.	——	——
48	Field and Stream -	Joseph Bassett, Esq.	- - - -	In hand.
49	Railway and Bridge, and Stream.	The Cambrian Railway Company, George Lewis, Secretary.	——	——
50	Occupation Road -	Thomas Savin, Joseph Bassett, and William Moreton.	- - - -	In hand.
51	Field - -	Thomas Savin -	- - - -	William Moreton.
52	Field - -	Same - -	- - - -	Same.
52*a*	Waste Land -	Same - -	- - - -	Unoccupied.
53	Turnpike Road -	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	——	——
54	Field and Garden -	Jackson Salter -	- - - -	John Hughes.
55	Toll House, Gate, and Garden.	The Commissioners of the Holyhead Road, John Haywood, Clerk.	——	——
56	Field - -	The Reverend John Thomas.	- - - -	Giles Davies.
57	Yard and Outhouses -	William Jones -	- - - -	William Jones, George Jones, Robert Plimley, Frederick Plimley, Evan Edwards, and David Christopher Davies.
58	Garden - -	Same - -	- - - -	William Jones.
59	Garden - -	Thomas Price -	- - - -	Charles Haswell.
60	Garden - -	Thomas Cadwalladr	- - - -	In hand.
61	Bark House or Shed -	Robert Evans -	- - - -	In hand.
62	Tan Yard, Pits, and Store Rooms.	Robert Evans -	- - - -	In hand.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
63	Yard, Garden, Stream, and Buildings and Road.	Philip Jennings, Edward Evans, George Evans, and Harriet Jones.	- - - -	Robert Blaikie, Edward Evans, Samuel Davies and David Williams, Samuel Dyas, Richard Rogers, Robert Samuel Williams, John Wright, Richard Price, Thomas Mitchell, David Morris Robert Walker, and Ellen Jones.
64	Field and Watercourse	Charles Jones -	- - - -	James Thomas Jones.
65	Burial-ground and Watercourse.	Thomas Salwey, Vicar, and the Churchwardens of Oswestry.	—	—
66	Occupation Road -	Edward Williams, Esq., Philip Jennings, Esq., James Redrobe, Mrs. Mary Jane Ormsby Gore, Reverend Ambrose Short, William Hughes, William Gilbert, James Bratton, Esq., and John Williams.	- - - -	Thomas Whittaker, Lydia Worton, Edward Rogers, William Gilbert, John Richards, Rees Daniel, Thomas Williams, William Hollis, John Powell, David Samuels, John Jones, Hugh Morris, Thomas Jones, Thomas Morris, Samuel Steventon, William Colly, Mary Jones, Martha Evans, William Clarke, David Lloyd, Benjamin Shutt, Thomas Dunn.
67	Turnpike Road -	The Trustees of the Oswestry District of Roads, Richard Jones Croxon, Clerk; George Owen, Surveyor.	—	—
68	Turnpike Road and Toll Gate.	Same.	—	—
69	Turnpike Road -	Same.	—	—

BURY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Bury in the County of Lancaster, for the Purchase of Lands by the Local Board of the aforesaid District for Street Improvements.*

Whereas the Bury Improvement Commissioners, acting under and by virtue of the Bury Improvement Act, 1846, acting as the Local Board for the District of Bury, in the County of Lancaster, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement within their District.

AND WHEREAS the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by Agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed ROBERT RAWLINSON, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Bury aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by Agreement.

Given under my hand, this First day of April, in the year one thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	No. 1.—CASTLECROFT IMPROVEMENT.			

No. 1.—CASTLECROFT IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called CASTLECROFT, from the INDEPENDENT CHAPEL to BOLTON STREET.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	House and Shop	The Earl of Derby. The Representatives of the late John Hill; namely, Charles Hill and James Hill.	The Representatives of the late John Hill; namely, Charles Hill and James Hill.	Francis Frederick Weaver.
2	House, Yard, and Outbuilding.	Ditto	Ditto	Ditto.
3	Cottage	Ditto	Ditto	Esther Davenport.
4	Common Passage	Ditto	Ditto	Esther Davenport, Francis Frederick Weaver, Jane Woolfenden, John Moscrop, James Smith, James Chadwick, and Robert Chadwick.
5	Cottage	Ditto	Ditto	Jane Woolfenden.
6	House, Shop, Yard, and Outbuildings.	Ditto	Ditto	James Smith.
7	House, Yard, and Outbuilding.	The Earl of Derby	The Representatives of the late Alice Rothwell; namely, John Young. Thomas Pilkington, John Hill Pilkington, and Mary Hodgson, for Ann Bridge and Mary Rothwell.	Thomas Collins.
8	House, Shop, Yard, and Outbuildings.	Ditto	Ditto	Betty Booth.
9	Common Passage	Ditto	The Representatives of the late Alice Rothwell; namely, John Young, Thomas Pilkington, John Hill Pilkington, and Mary Hodgson, for Ann Bridge and Mary Rothwell, Samuel Buckley.	Richard Scholes, Henry Mills, Henry Greaseley, Betty Booth, Thomas Collins.

No. 2.—BOLTON STREET IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called BOLTON STREET, from the HOUSE occupied by Dr. BARWISE to a certain other Street called HILL STREET.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Passage	The Earl of Derby, William Hall.	William Hall	Robert Copeland Gregg, John Briercliffe.
2	House and Shop	Ditto	Ditto	Robert Copeland Gregg.
3	Ditto	Ditto	William Hall, Robert Copeland Gragg.	John Briercliffe.
4	Ditto	The Earl of Derby, John Clarke, and John Cropper, Trustee for Jane Clarke.	John Clarke and John Cropper, Trustee for Jane Clarke.	John Clarke.

No. 3.—THE WYLDE IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving certain Streets called BOLTON STREET and THE WYLDE.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Beerhouse, Yard, and Premises.	The Earl of Derby, Thomas Norris.	Thomas Norris	Robert Walsh.
2	House and Shop	Ditto	Ditto	John Whitehead.
3	Ditto	Ditto	Ditto	Martha Hamer.

No. 4.—AGUR STREET IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving the South-east Side of a certain Street called AGUR STREET.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Yard	The Reverend Edward James Geoffrey Hornby. The Representatives of the late Edmund Grundy, deceased, namely, Thomas Grundy, Edmund Grundy, Robert Grundy, and James Wrigley.	The Representatives of the late Edmund Grundy, deceased, namely, Thomas Grundy, Edmund Grundy, Robert Grundy, and James Wrigley, Thomas Dewsbury Croft.	Thomas Dewsbury Croft.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
2	Dwelling House and Shop.	The Reverend Edward James Geoffrey Hornby, Samuel Bullivant.	Samuel Bullivant -	Patrick Mannion.
3	Dwelling House -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Ditto - -	Isaac Whitehouse.
5	Yard - -	Ditto - -	Ditto - -	John Duckworth.
6	Beerhouse, Yard, and Outbuildings.	Ditto - -	Ditto - -	Ditto.

No. 5.—CROMPTON STREET IMPROVEMENT.

Showing the Lands proposed to be taken for the purpose of making, laying out, and forming a new Street, in continuation of Crompton Street, from the existing termination of Crompton Street through the Cross Keys Yard, and forming an intersection with Fleet Street, at or near the House and Shop in the occupation of George Greaves.

1	House - - -	The Reverend Edward James Geoffrey Hornby. the Representatives of the late Richard Hamer; namely, James Hamer and John Hamer.	The Representatives of the late Richard Hamer; namely, James Hamer and John Hamer.	Elizabeth Hamer.
2	House - -	The Reverend Edward James Geoffrey Hornby, Betty Dean, and James Dean.	Betty Dean and James Dean.	Betty Dean and James Dean.
3	House - - -	The Reverend Edward James Geoffrey Hornby, Ann Dean.	Ann Dean - -	George Rawson.
4	House - -	The Reverend Edward James Geoffrey Hornby, James Kay.	James Kay - -	Bernard Doherty.
5	House - - -	The Reverend Edward James Geoffrey Hornby. The Representative of the late Joseph Smethurst; namely, Richard Battersby.	The Representative of the late Joseph Smethurst; namely, Richard Battersby.	John Conroy.
6	House - -	Ditto - -	Ditto - -	Henry Howard.
7	House - - -	Ditto - -	Ditto - -	Ditto.
8	Common Passage -	The Reverend Edward James Geoffrey Hornby, James Kay.	James Kay - -	Michael Bligh, Bernard Doherty, William Pickles, Robert Hoyle, John Ramsbottom, Michael Hogan, and Robert Seddon.
9	House - -	Ditto - -	Ditto - -	Michael Bligh.
10	House - - -	Ditto - -	Ditto - -	Pilot Rawson.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
11	Part of Yard	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Joseph Entwistle.	Joseph Entwistle.
12	House	The Reverend Edward James Geoffrey Hornby, Thomas Crompton.	Thomas Crompton	Thomas Crossley.
13	Warehouse, Chandler's Shop, Yard, and Outbuildings.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, William Howard.	William Howard.
14	Chandler's Shop	Ditto	Ditto	Ditto.
15	Cottage used as a Warehouse.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, William Howard.	William Howard.
16	Privy, Yard, Ash-pit, and Coal-house.	Ditto	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Joseph Entwistle.	Joseph Entwistle.
17	Bakehouse and Cottage.	Ditto	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	George Greaves.
18	Common Passage and Yard.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Thomas Crompton, James Kay.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Thomas Crompton, James Kay, Joseph Entwistle, William Howard.	Bernard Doherty, John Conroy, Henry Howard, Michael Bligh, William Pickles, Robert Hoyle, John Ramsbottom, Michael Hogan, Robert Sheddon, Pilot Rawson, Joseph Entwistle, Thomas Crossley, William Howard, George Greaves, Thomas Crompton, William Warhurst, Benjamin Bassett, William O'Bryan, John Glyn.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
19	Shop and Dwelling House.	The Reverend Edward James Geoffrey Hornby. The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle.	George Greaves.
20	House and Shop.	Ditto - -	The Representatives of the late William Searle; namely, Elizabeth Searle and Sarah Searle, Joseph Entwistle.	Joseph Entwistle.

No. 6.—FLEET STREET IMPROVEMENT, No. 1.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called FLEET STREET, from the corner of the CHURCHYARD near the RED LION INN to the GATES forming the entrance to the RECTORY, BURY.

1	Part of Churchyard -	The Rector and Churchwardens of the Parish Church of Bury.	—	—
2	Public Footpath -	The Bury Improvement Commissioners.	- - - -	The Bury Improvement Commissioners. The Bury and Radcliffe Waterworks Company.
3	Shop Public House, Dwelling House, and Premises.	The Reverend Edward James Geoffrey Hornby, Samuel Openshaw.	Samuel Openshaw -	Samuel Openshaw.
4	House and Shop -	The Reverend Edward James Geoffrey Hornby, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Samuel Bullivant
5	Ditto - -	The Reverend Edward James Geoffrey Hornby, William McLean.	William McLean.	Jonathan Entwistle.
6	Ditto - -	The Reverend Edward James Geoffrey Hornby, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead.	Henry Dearden.
7	House, Shop, and Premises.	Ditto - -	Ditto - -	Ralph Unsworth.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
8	Common Entry and Yard.	The Reverend Edward James Geoffrey Hornby, Samuel Openshaw, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead, William McLean, Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Lawrence Park.	Samuel Openshaw, Edward James Thompson, Roger Hillkirk, Mary Whitehead, James Horrox Whitehead, William McLean, Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Lawrence Park, William Park, Benjamin Holland, William Walker, Joshua Fielding.	Robert Reeves Clark, Ralph Unsworth, Jonathan Entwistle, Henry Dearden, William Park, Samuel Openshaw, John Whitehead, Sarah Moran, Michael McNichols, Charles Brown, John Bannan, Sarah Ann Yates, James McLachlan, Thomas Halstead, Benjamin Holland, William Walker, Samuel Bullivant, James Thornman, Thomas Hyland.
9	House, Shop, Yard, and Outbuilding.	The Reverend Edward James Geoffrey Hornby, Lawrence Park.	Lawrence Park, William Park.	William Park.
10	House, Shop, and Premises.	The Reverend Edward James Geoffrey Hornby, Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor.	Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Benjamin Holland.	Benjamin Holland.
11	House and Shop -	Ditto - -	Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, William Walker.	William Walker.
12	Ditto - -	Ditto - -	Margaret Norris and Harriet Norris, and their Trustees; namely, John Hutchinson and Samuel Taylor, Joshua Fielding.	Unoccupied.
13	Ditto - -	The Reverend Edward James Geoffrey Hornby, Joseph Newbold.	Joseph Newbold, Joseph Dearden.	Joseph Dearden.
14	Ditto - -	Ditto - -	Joseph Newbold, William Henry Downham.	William Henry Downham.
15	Common Yard -	The Reverend Edward James Geoffrey Hornby, Joseph Newbold.	Joseph Newbold, Joseph Dearden, William Henry Downham.	Joseph Dearden, William Henry Downham.

No. 7.—FLEET STREET IMPROVEMENT, No. 2.

Showing the Lands proposed to be taken for the purpose of widening, altering, and improving the South Side of Fleet Street, by the purchase of a projecting Beerhouse near the White Horse Inn.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Beerhouse and Premises.	The Reverend Edward James Geoffrey Hornby, Lawrence King.	Lawrence King, William Kay.	William Kay.

No. 8.—TITHE-BARN STREET IMPROVEMENT.

Showing the Lands proposed to be taken for the purpose of widening, altering, and improving a certain Street called Tithe-Barn Street.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	House, Shop, Yard, and Premises.	The Reverend Edward James Geoffrey Hornby, Matthew Weston and Ellen Isabella his Wife.	Matthew Weston and Ellen Isabella his Wife.	Henry Vickerman.
2	House and Shop -	The Reverend Edward James Geoffrey Hornby, Joseph Newbold.	Joseph Newbold -	Eliza Shaw.
3	Cottage - -	Ditto - -	Ditto - -	James Kay.
4	Rectory Garden -	The Reverend Edward James Geoffrey Hornby.	- - - -	The Reverend Edward James Geoffrey Hornby.

No. 9.—MOORSIDE IMPROVEMENT.

Showing the Lands proposed to be taken for the purpose of widening, altering, and improving a certain Street called Paradise Street, from a Yard, Beerhouse, and Premises occupied by Thomas Greenwood to Moorside.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Beerhouse, Dwelling-house, Yard, and Outbuildings.	The Earl of Derby. James Armstrong Varley, Ellen Porter. The Executors of the late John Kay ; namely, William Henry Kay and John Porter.	James Armstrong Varley, Ellen Porter. The Executors of the late John Kay ; namely, William Henry Kay and John Porter, Edward Barlow and Robert Edmondson, the Bury Brewery Company (Limited).	Thomas Greenwood.
2	House, Shop, and Outbuildings.	Ditto - -	James Armstrong Varley, Ellen Porter. The Executors of the late John Kay ; namely, William Henry Kay and John Porter.	Ellen Porter

No. 10.—CROSS STREET IMPROVEMENT.

SHOWING the LANDS proposed to be taken for the purpose of making, laying out, and forming a certain new Street in continuation of CROSS STREET, from CLERKE STREET to the WHITE LION YARD, and forming a Junction with ROCK STREET.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Beerhouse, Dwelling House, Yard, Stable, and Outbuildings.	The Reverend Edward James Geoffrey Hornby, Thomas Horrocks.	Thomas Horrocks -	William Kenyon.
2	Brewhouse - -	Ditto - -	Ditto - -	Ditto.
3	Stable - -	Ditto - -	Ditto - -	Ditto.
4	Open Yard - -	Ditto - -	Ditto - -	Ditto.
5	House and Yard -	Ditto - -	Ditto - -	John Green.
6	House - -	Ditto - -	Ditto - -	Richard Wardle.
7	House and Warehouse	The Reverend Edward James Geoffrey Hornby. The Representative of the late William Porter Holt; namely, Betty Holt.	The Representative of the late William Porter Holt; namely, Betty Holt.	Michael Mannion.
8	Cart-house - -	Ditto - -	Ditto - -	Ditto.
9	House - - -	Ditto - -	Ditto - -	Ditto.
10	Part of Common Yard	The Reverend Edward James Geoffrey Hornby. Thomas Horrocks, the Representative of the late William Porter Holt; namely, Betty Holt.	Thomas Horrocks. The Representative of the late William Porter Holt; namely, Betty Holt.	William Kenyon, John Green, Richard Wardle, Michael Mannion, Hannah Kenyon.
11	House used as a Salt Warehouse.	The Reverend Edward James Geoffrey Hornby. The Representative of the late William Porter Holt, namely, Betty Holt.	The Representative of the late William Porter Holt; namely, Betty Holt.	William Kenyon and Hannah Kenyon.
12	House and Warehouse	Ditto - -	Ditto - -	Ditto.
13	House and Shop -	The Reverend Edward James Geoffrey Hornby, the Trustees of Isaac Wood, deceased, William Adams Sherlock and John Edmondson, the said John Edmondson and Isabella, his Wife, John Thomas Sherlock and Hannah	The Trustees of Isaac Wood, deceased, William Adams Sherlock and John Edmondson, the said John Edmondson and Isabella his Wife, John Thomas Sherlock and Hannah his Wife, and their Trustees, the said William Adams	John Ashworth.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
		his Wife, and their Trustees, the said William Adams Sherlock and John Edmondson, Redmond Realli and Martha his Wife.	Sherlock, and John Edmondson, Redmond Realli and Martha his Wife.	
14	House and Yard -	Ditto - -	Ditto - -	Samuel Gregory.
15	House and Yard -	Ditto - -	Ditto - -	Norris Bentley.
16	House - -	Ditto - -	Ditto - -	John Howarth.
17	House - -	Ditto - -	Ditto - -	Robert Cook.

No. 11.—STANLEY STREET IMPROVEMENT.

Showing the LANDS proposed to be taken for the purpose of widening, altering, and improving a certain Street called STANLEY STREET.

1	House and Buildings used as Offices and Boardroom.	The Reverend Edward James Geoffrey Hornby. The Bury Improvement Commissioners.	The Bury Improvement Commissioners.	The Bury Improvement Commissioners.
2	House and Shop -	The Reverend Edward James Geoffrey Hornby. The Representatives of the late Squire Horrocks; namely, Robert Carlisle and John Costeker.	The Representatives of the late Squire Horrocks; namely, Robert Carlyle and John Costeker. Jacob Scholes.	Robert Scholes.
3	House and Shop -	Ditto - -	The Representatives of the late Squire Horrocks; namely, Robert Carlyle and John Costeker. John Bird.	John Bird.

HEAP.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Middle Division of Heap, in the County of Lancaster, for the Purchase of Lands by the Local Board of the aforesaid District for Street Improvements therein.

Whereas the Local Board for the District of the Middle Division of Heap, in the County of Lancaster, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement, and for other public works within the said District.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of the Middle Division of Heap, in the County of Lancaster, shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-eighth day of March, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following:—

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
	FIRST PART. Comprising the LANDS required for the improvement of BRIDGE STREET.			
1	Cottage	Robert Leigh, John Farnworth, and James Clegg Kershaw.	- - - -	Mary Spencer.
2	Cottage	Ditto	- - - -	James Ashworth.
3	House and Shop	Samuel Schofield, and Executors of John Hardman.	- - - -	Thomas Chadwick.
	SECOND PART. Comprising the LANDS required for the improvement of CHURCH STREET.			
4	Land	William Langton, Charles Langton, William Hornby.	- - - -	John Howarth.
5	Land	Edward James Geoffrey Hornby, Julius Shadwell.	—	—
6	Public House and Yard.	Margaret Berkett	Mark Whitehead	Mark Whitehead.
7	Stable and Brewhouse	Ditto	Ditto	Ditto.
8	Cottage and Yard	Ditto	- - - -	Edmund Cropper.
9	Ditto	Ditto	- - - -	Joseph Richardson.
10	Ditto	Ditto	- - - -	Josiah Livsey.
11	Ditto	Ditto	- - - -	Nelson Grimshaw.
12	Common Passage	Ditto	- - - -	Edmd. Cropper, Joseph Richardson, Josiah Livsey, and Nelson Grimshaw.
13	Cottage and Yard	James Morris	- - - -	John Diggle.
14	Ditto	Ditto	- - - -	John Moore.
15	House, Shop, and Yard.	Ditto	William Crabtree	William Crabtree.
16	Ditto	Ditto	- - - -	Robert Whitworth.
17	Cottage	Ditto	- - - -	Samuel Landale.
18	Ditto	Ditto	- - - -	Joseph Medcalf.
19	Ditto	Ditto	- - - -	Jacob Livsey.
20	Ditto	Ditto.	—	—
21	Ditto	Ditto	- - - -	Richard Marsden.
22	House and Shop	Ditto	Joseph Moore	Joseph Moore.
23	House, Yard, Slaughter House, and Wood Shed.	Ditto	- - - -	Edmund Horrocks.
24	Common Yard	Ditto	- - - -	William Crabtree, Robert Whitworth, Samuel Landale, Joseph Medcalf, Jacob Livsey, Richard Marsden, Joseph Moore, and Edmund Horrocks.

COCKERMOUTH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Cockermouth Local Board District, for the Purchase and taking of Lands by the said Board otherwise than by agreement.

Whereas the Local Board in and for the District of Cockermouth, in the County of Cumberland, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, buildings, and premises for the purpose of constructing waterworks, sewerage works, a market place, and fair ground within this District, and for other purposes set forth and described in such petition and shown upon the plans accompanying the same.

AND WHEREAS the said petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings and premises intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid lands, buildings, and premises who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such petition prayed that the said Board might, with reference to such land buildings, and premises, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed inquiry, and report has been duly made to me thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board for the said District of Cockermouth shall be empowered to put in force, with reference to the lands, buildings, and premises referred to and described in the Schedules to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Twenty-fourth day of March in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

The SCHEDULES referred to in the foregoing Order.

The LANDS, BUILDINGS, and PREMISES proposed to be taken for the Purposes set forth in the preceding Order, and situate in the District of Cockermouth, are the following:—

PIECES of LAND and PREMISES proposed to be taken.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Field	Andrew Green Thompson.	Peter Thomas Atkinson and Anthony Atkinson.	Peter Thomas Atkinson and Anthony Atkinson.
2	Occupation Road	Same	- - - -	The Cockermouth, Keswick, and Penrith Railway Company, John Pearson, William Smethurst, Matthew Spedding, Peter Thomas Atkinson, Anthony Atkinson, and Andrew Green Thompson.
3	Waste Land	Same	- - - -	Andrew Green Thompson.
4	Bed and Banks of the River Cocker.	Same	- - - -	Andrew Green Thompson and Jeremiah Spencer.
5	Field	William Wood, Hannah Wood, and Joseph Wood.	- - - -	Henry Scott Allison.
6	Field	Revd. John Wordsworth.	John Graham	John Graham.

PIECES of LAND and PREMISES through and over which Powers to make Sewers, &c. are proposed to be exercised.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
7	Turnpike Road	Trustees of the Cockermouth and Workington Turnpike Roads.	- - - -	Trustees of the Cockermouth and Workington Turnpike Roads.
8	Railway and the Banks and Waste Land on each side thereof.	The Cockermouth and Workington, and Cockermouth, Keswick, and Penrith Railway Companies.	- - - -	The Cockermouth and Workington, and Cockermouth, Keswick, and Penrith Railway Companies.
9	Field	Revd. John Wordsworth.	John Graham	John Graham.

COCKERMOUTH.

Provisional Order for extending the Borrowing Powers of the Cockermouth Local Board.

Whereas the Local Board for the District of Cockermouth, in the County of Cumberland, require to carry out, under the provisions of the Local Government Act, 1858, works of a permanent nature, consisting of works of sewerage and water supply, and to lay out and construct a fair and market ground, within their District; but the sum that will be required to carry out and complete the said works will exceed the assessable value for one year of the premises assessable under the said Act within such District.

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow any sum or sums not exceeding in the whole the amount of 19,000*l.* on mortgage of the rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, the said sum or sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

The Local Board for the District of Cockermouth, in the County of Cumberland, shall have power and authority to borrow any sum or sums for the execution and completion of the aforesaid works, being works of a permanent nature, on mortgage of the rates leviable by the Local Board aforesaid, under the aforesaid Act, the said sum or sums not exceeding 19,000*l.*, that amount also not exceeding in the whole two years' assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Fifth day of April One thousand eight hundred and sixty-five.

(Signed) G. Grey.

MATLOCK.

Provisional Order for altering the Boundaries of the District of Matlock in the County of Derby, under the Provisions of the Local Government Act, 1858.

Whereas a petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, and duly signed by a majority of the owners and ratepayers of the District of Matlock Bath, as settled for the purposes of the aforesaid Act, and of Scarthin Nick,—Scarthin Nick to commence at or near to the north corner of the field of land numbered 2310 on the plan made for the commutation of the tithes of the Parish of Matlock, and to proceed thence along the north-westwardly fence of the field numbered 2311 on the said Tithe Commutation Plan to the boundary which divides the Parish of Bonsall from the Parish of Matlock, and thence in a southwardly direction along such boundary to the boundary which divides the Township of Cromford from the Parish of Matlock, and thence in a south-eastwardly direction along the last-mentioned boundary to the river Derwent, and thence in a westwardly direction along the bank of the river to the District of Matlock Bath,—which said District of Matlock Bath and Scarthin Nick form part of the Parish of Matlock in the County of Derby, by which Parish the aforesaid Local Government Act, 1858, has been duly adopted, praying for the separation of the aforesaid parts from the said District of the Parish of Matlock.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for the Parish of Matlock in the County of Derby, by which the Local Government Act, 1858, has been duly adopted as aforesaid, be altered by so much of the aforesaid District as is comprised within the boundaries of the District of Matlock Bath, as settled under the provisions and for the purposes of the said Act, and of Scarthin Nick, as herein-before described, being excluded from the District of the aforesaid Local Board for the Parish of Matlock.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District of the Matlock Local Board, as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so altered as aforesaid.

Given under my hand this Fifteenth day of June in the year One thousand eight hundred and sixty-four.

(Signed) G. GREY.

BROMSGROVE.

Provisional Order for altering the Boundaries of the District of Bromsgrove in the County of Worcester, as constituted for the Purposes of the Local Government Act, 1858.

Whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, and duly signed by the Local Board for the District of Bromsgrove in the County of Worcester, praying for an alteration of the boundaries of the said District, by the addition of a piece of land shown on the plan annexed to the said Petition, and which is required for the purpose of forming part of a new road, and is part of and situated within the Parish of Stoke Prior.

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by ROBERT MORGAN, Esquire, the Inspector appointed for the purpose.

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board for Bromsgrove in the County of Worcester be altered by the addition of the aforesaid piece of land to the aforesaid District.

2.—At every election of members of the Local Board for the District of Bromsgrove aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as extended by this

Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so extended.

Given under my hand this Eighth day of March One thousand eight hundred and sixty-five.

(Signed) G. Grey.

Local Government Supplemental (No. 2).

A
BILL

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Derby, Ramsgate, Oswestry, Bury, Heap, Cockermouth, Matlock Bath, and Bromsgrove.

(Prepared and brought in by Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,* 7 *April* 1865.

[Bill 108.]

Under 6 *oz.*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Bradford, Gloucester, and Stroud.

Preamble.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the *passing of this Act* be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865, (No. 3)."

SCHEDULE of Provisional Orders referred to in the preceding Act.

SHEFFIELD.—Repealing a Local Act in force within the District of the Sheffield Local Board.

BRADFORD (Yorkshire). — Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement, for Street Improvements.

GLOUCESTER.—Repealing and altering Parts of Local Acts in force within the District of the Gloucester Local Board of Health.

STROUD.—Extending the Borrowing Powers of the Stroud Local Board of Health.

SHEFFIELD.

Provisional Order repealing a Local Act in force within the District of the Sheffield Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Sheffield in the County of York, acting as the Local Board for the said District of Sheffield, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the District aforesaid, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say, An Act passed in the fifty-eighth year of the reign of King George the Third, intituled "An Act for cleansing, lighting, watching, and otherwise "improving the Town of Sheffield in the County of York."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The said Local Act 58 Geo. 3. cap. 54. shall be wholly and entirely repealed; and the exemption from rating conferred by the proviso to the 16th section of the said Act shall cease.

2.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then their debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

4.—All expenses under the said Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

Given under my hand this Sixth day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

BRADFORD.

Provisional Order, putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Bradford, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Bradford, in the County of York, acting as the Local Board of Health for that District, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for certain street improvements in the said District, as set forth and described in such Petition.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Bradford aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this First day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, are the following:—

FIRST PART.

Comprising the LANDS required for the IMPROVEMENT of TYRREL STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Shop, Workshops, Warehouses, Cellar, Steps in Yard, and Frontage.	Joseph Fearnley Bonnell.	- - - -	Joseph Fearnley Bonnell, John Bowman, John Lupton.
2	Shop, Warehouse, Cellar, Coal Place, Steps, and Frontage.	Thomas Denison, Dyson Denison, and Mary Denison.	- - - -	David Parkinson, Richard Fletcher.
3	Blacksmith's Shop, Shoeing Shop, Warehouses, Dwelling Rooms, Steps, and Frontage.	Ditto - -	- - - -	Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher.
4	Shop, Steps, and Frontage.	Ditto - -	- - - -	Richard Fletcher.
5	Shops, Dwelling-house, Workshops, and Frontage.	Michael Smith -	- - - -	Christopher Wilkinson.
6	Cottage - - -	Ditto - -	- - - -	Christopher Wilkinson, David Parkinson.
7	Yard, Privy, and Ashpit.	John Ward, Trustee of late Susan Ward, Joseph Fearnley Bonnell, Thomas Denison, Dyson Denison, and Mary Denison, Michael Smith, John Lupton, Trustee of late Susan Ward, John Ward.	- - - -	John Lupton, Richard Fawcett, Joseph Fearnley Bonnell, John Bowman, David Parkinson, Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher, Christopher Wilkinson.

SECOND PART.

Comprising the LANDS required for the IMPROVEMENT of MARKET STREET.

(SECTION B.)

8	Forecourt - -	John Stead - -	George Parkinson and Robert Clark.	George Parkinson and Robert Clark, Denbigh Scott, James Holroyd, Joseph Kaye, Thomas Clarke, Rodolphus Egan, Tom Akam, William Wilkinson, Thomas Hartley, and Samuel Priestley.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
9	Shop, Office, Dwelling-house, Yard, Coach-house, and Outbuildings.	John Stead	George Parkinson and Robert Clark.	George Parkinson and Robert Clark.
10	Office and Shutter Box.	Mrs. Emily Steele and James Wood, Trustees of John Steele.	Joseph Spink	Charles Waller, Joseph Spink.
11	Shop and Stock Room	Alfred Ogden	- - - -	Hannah Ogden and Alfred Ogden.
12	Piece Rooms	James Greaves Tetley Parkinson.	William Rouse and James Hammond.	William Rouse and James Hammond, John Glover, Maurice Goggin.
13	Shop, Dwelling House, Wash-house and Coal Place.	Ditto	- - - -	James Greaves Tetley Parkinson.
14	Piece Rooms	Ditto	- - - -	Charles Stanfield.
15	Yard and Passage	Benjamin Greenwood, Alfred Ogden, James Greaves Tetley Parkinson.	William Rouse and James Hammond.	George Edmund Donisthorpe, John Crofts and Richard Dawson, Joshua Wood, Benjamin Greenwood, Henry Mason, James Mallison, John Mallison, Hannah Ogden and Alfred Ogden, James Greaves Tetley Parkinson, Maurice Goggin, John Glover, William Rouse, and James Hammond.
16	Tobacco Manufactory	Alfred Ogden	- - - -	James Greaves Tetley Parkinson.
17	Privies, Ashpit, and Passage.	James Greaves Tetley Parkinson.	William Rouse and James Hammond.	William Rouse and James Hammond, John Glover, Maurice Goggin, James Greaves Tetley Parkinson.
		(SECTION E.)		
18	Public House, called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller	- - - -	Charles Dale.
19	Shop, Warehouses, Privy and Ashpit.	Henry Brown	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Store-room.	Eliza Senior	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brew-house, Warehouse, and Store-room.	Charles Waller, Eliza Senior.	Ditto	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller	- - - -	Charles Dale, J Fletcher.
23	Woolwaste Warehouse	Thomas Snow Waud.	- - - -	William Brown.
24	Woolwaste Warehouse	Hannah Green	- - - -	Joseph Hind, John Waller, and William Atkinson.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior	- - - -	Joseph Dawson Sugden.
26	Piece Rooms, Storeroom, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy, and Ashpit.	Ditto	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting-houses and Cellars.	Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (limited) John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting-houses, Offices, Yard, and Front Area.	Ditto	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.
30	House and Eating Rooms.	Jane Woodhead	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ash Pits, Manure Pit, Covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown, Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson, and Joseph Cockcroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph Mac Owan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
33	Shop and Warehouses	Francis Sharp Powell.	Henry Brown - -	John Greenwood.
34	Yard and Ashpit -	Ditto - -	Ditto - -	John Greenwood, Henry Brown, and Thomas Parkinson Muff, Joseph Sowden, John Hall, William Brooksbank.
35	Tinner's Shop, Workshop, Warehouse, and Office.	Ditto - -	Ditto - -	Joseph Sowden, John Greenwood.
36	Passage and Public Way.	The Mayor, Aldermen, and Burgesses of Bradford, Francis Sharp Powell.	Ditto - -	The Mayor, Aldermen, and Burgesses of Bradford, Joseph Sowden, John Greenwood.
37	Shop, Cellar, Warehouses, and Back Area.	Francis Sharp Powell.	Ditto - -	John Hall, Joseph Kershaw, and Jonas Jowett.
38	House, Shop, Workshop, Cellar, and Back Area.	Ditto - -	Ditto - -	William Brooksbank.
39	Shop, Workshop, and Warehouse.	Ditto - -	Ditto - -	John Maude.
40	Beerhouse, called "Wakefield Arms," Cellar, and Urinal.	Ditto - -	Michael Stocks, Sarah Priestley.	Sarah Priestley.
41	Wool Warehouse and Privy.	Ditto - -	Michael Stocks -	Joseph Hurst, James Cluderay.
42	Public House called "Roebuck Inn" and Dram Shop, Shop, Warehouses, and Piece Rooms.	Francis Sharp Powell.	John Dyson and James Dyson, John Aked.	Samuel Thomas, James Cluderay, Andrew Moulding, Richard Hardaker and Henry Widdop, Charles Keighley, John Fawcett.
43	Passage, Yard, Ashpit, and Privies.	Ditto - -	Ditto - -	Joseph Hirst, Sarah Priestley, James Cluderay, Abram Moseley and Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley Thomas Longbottom, Isaac White, Joseph Bottomley, Samuel Thomas, Henry Brown and Thomas Parkinson Muff, Andrew Moulding, Richard Hardaker and Henry Widdop, John Fawcett.
44	Coalplace, Stable, Steps, and Workshop.	Ditto - -	Ditto - -	Samuel Thomas, Henry Brown, and Thomas Parkinson Muff.
45	Wool and Waste Warehouses, Brewhouse, and Cellar.	Ditto - -	Ditto - -	Abram Moseley, Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley, Isaac White, Joseph Sowden, Samuel Thomas.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
46	Shop and Warehouse	George Royle Wright.	- - - -	Mark Oddy.
47	Shop and Warehouses	Ditto - -	- - - -	George Hannibal Isitt.
48	Warehouse and Bedrooms.	John Ratcliff -	- - - -	Joseph Beanland.
49	Coalhouse, Warehouse, Shop, Yard, Privy, and Passages.	Ditto - -	- - - -	Joseph Beanland, John Hunter.
50	Kitchens and Warehouse.	Ditto - -	- - - -	Ditto.
51	Shop, Sitting-room, and Cellar.	Ditto - -	- - - -	Ditto.
52	Eating House and Shop.	Ditto - -	- - - -	Joseph Beanland.
53	Dwelling House and Shop.	Ann Mann, Joseph Wood	- - - -	Sarah Taylor, Harriet Taylor, and Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.
55	Butcher's Shop and Bedroom, Kitchen.	Ditto - -	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto - -	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto - -	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto - -	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Water-closet.	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop - - -	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.
		(SECTION F.)		
61	Public House, called "Boar's Head Inn," Brewhouse, Yard, Ashpit, Privy.	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Joseph Blamires.
62	Shop, Room, Yard, Ashpit, and Privy.	Anne Metcalfe -	- - - -	Sarah Hartley.
63	Shop - - -	Joseph Farrar -	- - - -	William Brown.
64	Shop, Dwelling House, and Cellar.	William Holgate -	- - - -	William Holgate.
65	Shop, Room, Cellar, and Closet.	William Holgate, Timothy Longbottom, Trustee of late Nancy Longbottom.	- - - -	George Brown, William Holgate.
66	Shop, Workshops, Warehouse, Cellar.	Timothy Longbottom, Trustee of late Nancy Longbottom, William Holgate.	- - - -	George Brown.
67	Shop, Offices, and Workshop.	Johnson Atkinson Busfield.	- - - -	James Brown, Henry Ibbotson.

THIRD PART.

COMPRISING the LANDS required for the intended NEW STREET from BANK STREET to SUN BRIDGE, and for widening a portion of BANK STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
18	Public House, called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller -	- - - -	Charles Dale.
19	Shop, Warehouses, Privy, and Ashpit.	Henry Brown -	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Storeroom.	Eliza Senior -	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brewhouse, Warehouse, and Storeroom.	Charles Waller, Eliza Senior.	Ditto - -	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller -	- - - -	Charles Dale, J. Fletcher.
23	Wool Waste Warehouse.	Thomas Snow Waud.	- - - -	William Brown.
24	Wool Waste Warehouse.	Hannah Green -	- - - -	Joseph Hind, John Waller, and William Atkinson.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior -	- - - -	Joseph Dawson Sugden.
26	Piece Room, Store Room, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy and Ashpit.	Ditto - -	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting Houses, and Cellars.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting Houses, Offices, Yard, and Front Area.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
30	House and Eating Rooms.	Jane Woodhead -	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ashpit, Manure Pit, Covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown and Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson and Joseph Cockroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.
69	Public House, called "The Fleece Inn," Brewhouse, Stables, and Frontage.	Robert Shackleton -	John Smith - -	John Smith.
70	Wool Waste Warehouses.	Ditto - -	Ditto - -	John Smith, John Hartley, Joseph Cooper.
71	Wool Waste Warehouses and Stable.	Ditto - -	Ditto - -	Samuel Procter and Charles Procter, and John Rawnsley.
72	Workshop - -	Ditto - -	Ditto - -	Robert Shackleton, John Fawcett, James Holliwell.
73	Corn Warehouse -	Ditto - -	Ditto - -	Robert Shackleton.
74	Yard, Passage, Privies, and Ashpit.	Robert Shackleton, Robert Holdsworth and Mrs. Judith Holdsworth, Mrs. Ryecroft.	Ditto - -	Henry Scott, Timothy Roper, David Laycock and Benjamin Laycock, Richard Brown, Thomas Holt, Henry Arensberg, John Smith, John Hartley, Joseph Cooper, Samuel Procter and Charles Procter, and John Rawnsley, Robert Shackleton, John Fawcett, James Holliwell.
75	Shop and Storeroom -	Robert Shackleton	- - - -	Henry Arensberg.
76	Shop and Workroom -	Ditto - -	- - - -	Thomas Holt.
77	Shop, Workshop, and Room.	Ditto - -	- - - -	Richard Brown.
78	Shop and Room -	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	David Laycock and Benjamin Laycock, Timothy Roper.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
79	House, Shop, and Warehouse.	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	Timothy Roper.
80	Shop and Workshop -	Ditto - -	- - - -	Joseph Wilson.
81	Dram Shop, Office, Warehouse, Bottling Room, Counting-house.	James Thistleton Haigh.	William Wright, Trustee of late James Wright.	William Wright, Trustee of late James Wright, Samuel Wright.
82	Shop and Warehouses	Ditto - -	John Conway - -	John Conway.
83	Ditto - - -	Ditto - -	Felix Marsh Remington.	Felix Marsh Remington
84	Yard, Privies, and Ashpit.	Ditto - -	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.
85	Shop, Storeroom, Workshops, Class Rooms, Warehouse, and Printing Office.	James Willins Taylor.	Joseph Parkinson and Henry Myers.	Joseph Parkinson and Henry Myers, Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood.
86	Shop and Billiard Rooms.	Ditto - -	William James -	William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner.
87	Shop, Piece Rooms, Storerooms.	Ditto - -	Thomas Ramsden -	Thomas Ramsden, James Collinson, Dan Robinson, Henry Cockroft, William Ackroyd, William Gawthrop.
88	Shop, Warehouse, Piece Rooms, Meeting Room, and Privy.	Ditto - -	William Dawson Mortimer.	William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary.
89	Passages, Yards, Privies, and Ashpits.	Ditto - -	Joseph Parkinson and Henry Myers, William James, Thomas Ramsden, William Dawson Mortimer.	Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood, William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary, Thomas Ramsden, Dan Robinson, Henry Cockroft, William Ackroyd, William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner, Joseph Parkinson, and Henry Myers, William Gawthrop.
90	Shop and Warehouse	Elizabeth Rawson	John Fawcett -	John Fawcett.
91	Shop - - -	Ditto - -	Ditto - -	Ditto, John Poppleton.
53	Dwelling-house and Shop.	Ann Mann, Joseph Wood.	- - - -	Sarah Taylor, Harriet Taylor, Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
55	Butcher's Shop and Bedroom, Kitchen.	Ann Mann - -	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto - -	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto - -	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto - -	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Watercloset.	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop - - -	Ditto - -	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.

FOURTH PART.

COMPRISING the LANDS required for the intended NEW STREET from BANK STREET TO KIRKGATE.

92	Part of Shop - -	John Rawson and Thomas Buck.	- - - -	Joseph Hartley, Joseph Rhodes.
93	Ditto - -	Ditto - -	- - - -	George Farmery, Joseph Rhodes.
94	Part of Shop and Piece Room.	Ditto - -	- - - -	William Cass.
95	Ditto - -	Ditto - -	- - - -	John Irwin, Charles Lumb.
96	Ditto - -	Ditto - -	- - - -	William Mansfield.
97	Warehouses, Shops, Piece Rooms, Offices, Water-closets, Houses, Beershop called "Piece Hall Vaults," Passage, and Frontage.	Ditto - -	- - - -	John Wilcock, Eli Bottomley, Charles Howard, and Edward Holdsworth, Henry Roberts and Samuel Roberts, Thomas Williamson.
98	Public-house called "Talbot Inn," Yard, Brewhouse, Coach-house, Stables, Ashpits, Privy, and Manure Pit.	Thomas Wood Bartholomew and William Hamond Bartholomew.	Benjamin Briggs Popplewell, Assignee of John Bell.	Benjamin Briggs Popplewell, Assignee of John Bell.
99	Warehouse - -	Thomas Wood Bartholomew and William Hamond Bartholomew.	Ditto - -	Robert Lancester.
100	Wireworker's Shop -	Ditto - -	Ditto - -	Joseph Rhodes.
101	Eating House - -	Ditto - -	Ditto - -	Abel Archer.
102	Talbot Yard - -	Ditto - -	Ditto - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
103	Shop, Dwelling-house, Area, and Ashpit.	Reverend George Barber Paley and Reverend George Mason.	- - - -	John McCroben, and Edward McCroben.
104	Yard and Road -	Ditto - -	- - - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer, John McCroben and Edward McCroben, Ann Northrop, and Martha Northrop.
105	Shop and Dwelling-house.	Ditto - -	- - - -	Ann Northrop, and Martha Northrop.
106	Office and Work-room	Ditto - -	- - - -	James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary.
107	Dwelling-house -	Ditto - -	- - - -	William Holgate.
108	Offices - - -	Ditto - -	- - - -	George Humble.
109	Offices, Coal Closet, and Steps.	Ditto - -	- - - -	William Gilyard, John Jowett Hill.
110	Offices, Porch, House, Shop, Warehouse, Cellars, Area, and Frontage.	Ditto - -	- - - -	William Gilyard, William Hargreaves, James Taylor.
111	Shop, Dwelling-house, and Frontage.	Ditto - -	- - - -	Thomas Whitfield.
112	Shop, Dwelling-house, Area, and Frontage.	Ditto - -	- - - -	Henry Arensberg and Louis Arensberg.
113	Shop, Dwelling-house, and Coal Place.	Reverend George Barber Paley and Reverend George Mason.	- - - -	James Bowes.
114	Shop, Workrooms, and Coal Place.	Ditto - -	- - - -	Henry Rhodes.
115	Passage, Yard, Privy, and Ash Pit.	Ditto - -	- - - -	James Taylor, Thomas Whitfield, Henry Arensberg and Louis Arensberg, James Bowes.
116	Warehouses and Steps	Ditto - -	- - - -	William Hudson Bilbrough, Edmund Jowett.
117	Ditto - - -	Ditto - -	- - - -	Francis Lister and Joseph Jowett.
118	Shops, Dwelling-house, Warehouse, Yard, Area, Post Office, Offices, and Workshops.	Ditto - -	- - - -	Edwin Davis, John Boast, Henry Francis Lockwood, William Mawson and Richard Mawson, Henry Ogle Mawson, William Coates (Postmaster).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
119	Yard, Privies, and Ashpits.	Ditto - -	- - - -	Ann Northrop, James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary, George Humble, William Gilyard, John Jowitt Hill, William Hargreaves, Henry Rhodes, William Hudson Bilbrough, Edmund Jowitt, Henry Ogle Mawson, Edwin Davis, John Boast. William Coates, Henry Francis Lockwood, William Mawson and Richard Mawson.
120	Public Foot Road called "Union Passage."	The Mayor, Aldermen, and Burgesses of Bradford, Reverend George Barber Paley, and Reverend George Mason.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
121	Boundary Wall -	Ann Rouse, John Seppings Harrison and Thomas Emsley, Trustees of late David Rouse.	—	—

FIFTH PART.

COMPRISING the LANDS required for the EXTENSION of BROOK STREET.

122	Wool Warehouses, Offices, and Piece Rooms.	Richard Polycarp Mortimer.	- - - -	Thomas Robertshaw, Luther Robertshaw, Calvin Robertshaw and Illingworth Robertshaw, Samson Woller.
123	Ditto - -	Ditto - -	- - - -	James Oddy, Joseph Oddy, Thomas Oddy and William Oddy, James Lund.
124	Shop, Wool Warehouses, and Frontage.	William Reynald -	Benjamin Tetley and William Tetley.	William Reynald, Benjamin Tetley, William Tetley.
125	Shop, Office, Warehouses, and Frontage.	William Reynald -	James Oldfield and John Reffitt.	James Oldfield, John Reffitt, Alfred Ellison.
126	Ashpit - - -	Ditto - -	Benjamin Tetley and William Tetley, James Oldfield and John Reffitt.	William Reynald, Benjamin Tetley and William Tetley, James Oldfield and John Reffitt, Alfred Ellison.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
127	Street called "Ship Alley."	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.

SIXTH PART.

COMPRISING the LANDS required for the intended NEW STREET from WESTGATE to THORNTON ROAD.

128	Public House called "Bee Hive Inn," Brewhouse, Cottage, Stables, Timber Yards, Slaughter Houses, Blacksmith's Shop, Privies, and Outbuildings.	John Hamerton, Richard Sterne Carroll, Mary Ellen de Cardonel Wright, Rev. Thomas Booth Wright, and John Field Wright, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters, Jane Lancaster, Frederick Johnson, Jane Waterhouse Burnett, Joseph Popplewell, Thomas Archbell Smith, John Hirst Thornton, Richard Berry.
129	Yards, Passages, Bridge, and Open Ground.	Ditto - -	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters Jane Lancaster, Frederick Johnson, Thomas Archbell Smith, Jane Waterhouse Burnett, Joseph Popplewell, John Hirst Thornton, Richard Berry, Harrison Nicholson.
130	House, Shop, and Coal Place.	Ditto - -	- - - -	Thomas Archbell Smith.
131	House, Shop, Coal Place, Coach-house, Stable, and Warehouse.	Ditto - -	- - - -	Harrison Nicholson.
132	Mill Goit - -	John George Smyth	- - - -	Edward West, John Slater Stansfield.
133	Goit Side and Public Footpath.	John George Smyth, the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
134	Whitesmith's Shop, Schoolroom, Cart Shed, Stables, Yard and Outbuildings, and Byewash.	John George Smyth	- - - -	Joseph Parrott, Edward West, and John Slater Stansfield.
135	Foundry and Yard -	Ditto - -	- - - -	John Willis.
136	Workshops, Warehouses, and Yard.	Michael Nelson -	- - - -	Edward Hillam, Joseph Garner, Michael Nelson.
137	House and Coalplace	John Christopher Smith.	- - - -	Sally Smith.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
138	Slaughter House, Workshops, and Yard.	John Christopher Smith.	- - - -	Samuel Bidwell, David Blowers and Edward Kemp, Sally Smith, Philip Smith, Elizabeth Smith.
139	Cottage and Land -	Abraham Shepherd, Sarah Holmes, Representatives of Abel Stell, viz. Mrs. Ellen Oddy, David Earnshaw, William Townend, Reuben Stell, Mrs. Hird, John Wood, Joseph Wood, Samuel Stell, James Stell, William Hanson, Charles Crabtree, Representatives of James Clegg.	- - - -	Thomas Wilson.
140	Cottage and Wall -	Ditto - -	- - - -	John Kennedy.
141	Ditto - - -	Ditto - -	- - - -	Joseph Foster.
142	Cottage and Wall -	Ditto - -	- - - -	Tabitha Horsfield.
143	Cottage, Coal-place, and Wall.	Ditto - -	- - - -	Jonathan Forster.
144	Cottage, Coal-place, and Yard.	Ditto - -	- - - -	Sarah Beetham.
145	Cottage - -	Ditto - -	- - - -	Sarah Beetham.
146	Cottage, Yard, and Coal-place.	Ditto - -	- - - -	Benjamin Firth.
147	Yard and Privy -	Ditto - -	- - - -	Sarah Beetham, Benjamin Firth, Sally Smith, Samuel Bidwell, David Blowers and Edward Kemp, Philip Smith, Elizabeth Smith, Samuel Pollard, John Kennedy, Joseph Foster, Tabitha Horsfield, Jonathan Foster.
148	Byewash - - -	Thomas Firth, Michael Nelson, John George Smyth.	- - - -	Edward West, John Slater Stansfield.
149	Vacant Ground and Beck.	Thomas Firth -	- - - -	Joseph Freeman.
150	Workshop, Warehouse, and Ground.	Ditto - -	- - - -	Richard Lacey.
151	Dwelling House and Shop.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- - - -	Samuel Tiplady.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
152	Dwelling House and Office.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- - - -	Jonas Illingworth.
153	Warehouses - -	Ditto - -	- - - -	Robert Sutcliffe, Lockwood Stephenson.
154	Ditto - - -	John Schofield -	- - - -	John Ellis and Abraham Jagger.
155	Ditto - - -	Ditto - -	- - - -	Jonathan Aykroyd and Thomas Wroe.
156	Ditto - - -	Ditto - -	- - - -	Jonathan Holdsworth.
157	Ditto - - -	Joseph Hopkinson and Thomas Hopkinson.	- - - -	Samuel Lee, Joseph Hopkinson and Thomas Hopkinson.
158	Workshops and Warehouses.	Ditto - -	- - - -	Joseph Hopkinson and Thomas Hopkinson.
159	Warehouses - -	William Rhodes -	John Scott and John Whittaker.	John Scott and John Whittaker.
160	Workshops and Warehouses.	William Rhodes -	John Scott and John Whittaker.	William Rhodes, John Scott, and John Whittaker.
161	Workshops - -	John Schofield -	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, William Parkinson, Denton Waring, John Warburton.
162	Yard, Passage, Privies, and Ashpit.	Jonas Illingworth, John Schofield, The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary, Joseph Hopkinson, and Thomas Hopkinson.	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, John Ellis and Abraham Jagger, Robert Sutcliffe, Lockwood Stephenson, Jonathan Ackroyd and Thomas Wroe, Jonathan Holdsworth.
163	Street, called "Wade Street."	John George Smyth, Michael Nelson, Thomas Firth, William Rhodes, Jonas Illingworth.	Joseph Hopkinson and Thomas Hopkinson.	John Willis, Edward Hillam, Joseph Garner, Michael Nelson, William Rhodes, John Scott and John Whittaker, Joseph Hopkinson and Thomas Hopkinson.

SEVENTH PART.

Comprising the Lands required for the Improvement of Westgate.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
164	House, Shop, Yard, Privy, and Ashpit.	Christopher Sewell	- - - -	Christopher Sewell.
165	Public House, called "Half Moon," Yard, Privy, and Ashpit.	Ditto - -	- - - -	William Wharton.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
166	Public House called "Westgate Tavern," Yard, Privy, and Ashpit.	William Bakes -	- - - -	Richard Hyde, Charles Waller, Thomas Kelly.
167	Public House called "Dusty Miller," Yard, Privy, and Ashpit.	Christopher Irving	- - - -	William Unwin.
168	Dwelling House, Shop, and Yard.	Ditto - -	- - -	James Sadler.
169	House - - -	Hall Aspinall -	- - - -	Hall Aspinall.
170	House - - -	John Aspinall -	- - - -	John Aspinall.
171	Stable and Room over	Hall Aspinall and John Aspinall.	- - - -	Hall Aspinall and John Aspinall.
172	Brewhouse - -	John Aspinall -	- - - -	William Unwin.
173	Privy and Ashpit -	Hall Aspinall -	- - - -	Hall Aspinall, John Aspinall, Daniel Smith.
174	House - - -	James Brown -	- - - -	Daniel Smith.
175	Yard called Aspinall's Yard.	Christopher Irving, William Bakes, Christopher Sewell, Hall Aspinall, John Aspinall, Hall Aspinall, and Isaac Brown, Trustees of late John Aspinall, James Brown.	- - - -	James Sadler, William Unwin, Richard Hyde, Thomas Kelly, William Wharton, Christopher Sewell, Hall Aspinall, John Aspinall, and Daniel Smith.

EIGHTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of JAMES STREET.

176	Shop, House, Warehouse, and Privy.	William Wells -	-	Francis Garvey.
177	Shop, House, Privy, and Yard.	Ditto - -	- - - -	George Brook.
178	Yard, Wall, and Ashpit.	Ditto - -	- - - -	George Brook, Francis Garvey.
179	Warehouses and Workshops.	Elizabeth Smith and Richard Waterhouse, Trustees of the late Jonas Smith.	- - - -	Joshua Lambert, John Wesley Smith.
180	Slaughter House and Yard.	Henry Westwood and Benjamin Pickles.	- - - -	Joseph Lumby.
181	Carthouse, Stable, Manure Pit, and Yard.	Ditto - -	- - - -	Robert Morrell.
182	Privy and Ashpit -	Ditto - -	- - - -	Benjamin Pickles.
183	Vacant Ground called "Old Quarry."	Ditto - -	- - - -	Unoccupied.

NINTH PART.

COMPRISING the LANDS required for the intended NEW STREET from JAMES STREET to DARLEY STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
184	Shops, Dwelling-house, Yards, and Outbuildings.	Trustees of Kirkgate Wesleyan Chapel, Thomas Haigh, Secretary.	- - - -	Thomas Lund, Edward Harland, Joseph Lancaster, Tom Harland.
185	Private Road - -	Trustees of Kirkgate Wesleyan Chapel.	- - - -	Trustees of Kirkgate Wesleyan Chapel, Edward Harland, Tom Harland, Joseph Lancaster.
186	Yard, Slaughter House, and Privies.	Elizabeth Rawson -	- - - -	Elizabeth Rawson.
187	Public House, called "Market Tavern," Yard, and Outbuildings.	Ditto - -	- - - -	James Hammond.
188	Street, and part of Market.	Ditto - -	- - - -	Elizabeth Rawson, William Walmsley, Henry Badman, Edward Topham.
189	Wool Warehouse, Office, and Butter Market.	Ditto - -	- - - -	John Light, Joseph Rhodes, Thomas Midgley, Charles Hill, John Hodgson, Mayor, Aldermen, and Burgesses of the Borough of Bradford, Samson Leigh, Henry Badman, Benjamin Ackroyd, Joseph Crabtree, James Hagley, John Goodall.

TENTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of DUKE STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
190	Stable, Coach-house, Yard, Privy, and Manure Pit.	William Aked, Jeremiah Robertshaw, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Thomas Robinson.
191	Offices, Dwelling-house, Privy, and Garden.	Ditto - -	- - - -	John Darlington.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.

ELEVENTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of KIRKGATE and IVEGATE.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
192	Shop and Workshops	Bailey Blackburn -	- - - -	Thomas Hunter.
193	Shops and Warehouse	Ditto - -	- - - -	Bailey Blackburn, John Riley.
194	Shop, Dwelling-house, Warehouse, Outbuildings, and Area.	John Charles Pearce	- - - -	Hannah Chatterton, Michael Newbould.
195	Shop, Dwelling-house, Warehouse, Area, and Frontage.	Ditto - -	- - -	Ann Newton, Squire Dracup.
196	Shop, Warehouses, and Frontage.	Ditto - -	- - - -	John Hudson Waite, Michael Newbould.
197	Yard, Privy, and Ash-pit.	Ditto - -	- - - -	Hannah Chatterton, John Hudson Waite, Michael Newbould.
198	Shop, Dwelling-house, Workshop, Warehouse, and Frontage.	Ditto - -	- - - -	Michael Newbould, John Hudson Waite.
199	Workshop and Warehouse.	Ditto - -	- - - -	John Pearson.

TWELFTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of CARLISLE ROAD.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
200	Cottage, Yard, and Outbuildings.	James Atkinson Jowett.	- - - -	Elizabeth Rhodes.

GLOUCESTER.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Gloucester Board of Health.

Whereas the Mayor, Aldermen, and Citizens of the City of Gloucester, in the County of the City of Gloucester, acting as the Local Board of Health in and for the City of Gloucester aforesaid, being the District of the said Board in which the Public Health Act, 1848, "The Public Health Supplemental Act, 1849;" and "The Local Government Act, 1858," are in force, have, in pursuance of the Local Government Act, 1858, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of and transfer of powers under certain Local Acts of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the fourth year of the reign of King George the Third (Cap. 60.), intituled "An Act for the more effectual relief and employment "of the Poor within the City of Gloucester, and for lighting the streets "of the said City;"

A certain other Act passed in the twenty-first year of the reign of King George the Third (Cap. 74.), intituled "An Act for erecting a new gaol "and for removing certain gateways in the City of Gloucester; and for "amending the several Acts passed for the maintenance and support of "the Poor of the said City, and lighting, paving, and regulating the "streets there;"

A certain other Act passed in the fifty-ninth year of the reign of King George the Third (Cap. 69.), intituled "An Act for enabling the Governor "and Guardians of the Poor of the City of Gloucester to light the said "City with gas, and to enter into the necessary contracts for that "purpose;"

A certain other Act passed in the first and second years of the reign of King George the Fourth (Cap. 22.), intituled "An Act for establishing a "proper place for holding markets and fairs for the sale of live stock in "the City of Gloucester and the suburbs thereof, and for opening con-"venient avenues thereto, and for watching and otherwise improving the "said City;" and

A certain other Act passed in the fourth year of the reign of King William the Fourth (Cap. 44.), intituled "An Act to provide for lighting the "suburbs of the City of Gloucester with gas."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Act passed in the first and second years of the reign of King George the Fourth (Cap. 22.) specified in the Schedule hereunto annexed shall be repealed.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act 1 & 2 Geo. 4. c. 22. shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board of Health aforesaid.

3.—All the powers of the Governor and Guardians of the Poor within the aforesaid District, under any of the said herein-before recited Acts, for the erection of gasworks and the supply of gas for public or private consumption shall cease and determine, and the said Acts, so far as they confer such powers, shall be repealed; and the said Local Board shall, within the said District, possess all the powers in relation to lighting, except as aforesaid, conferred by the said Acts on the said Governor and Guardians; but this clause shall not come into operation until the first day of July or the first day of January which shall happen next after the confirmation of this Order; and notwithstanding such repeal the Governor and Guardians may recover any rate or rates then due and unpaid.

4.—All the powers of the Commissioners acting in execution of the hereinbefore recited Local Act 4 Will. 4. c. 44., within the said District, shall cease and determine, and the powers for lighting conferred by the 22d section of the said Act, so far as relates to its operation in the said District or part thereof, shall be transferred to the said Local Board; but this clause shall not come into operation until the first day of July or the first day of January which shall happen next after the confirmation of this Order; and notwithstanding such transfer the Commissioners may recover any rate or rates then due and unpaid.

5.—All property and estate of the aforesaid Governor and Guardians in respect of the lighting of the said streets, and of the Commissioners respectively under the said several Local Acts, so far as regards the said District, shall, upon their respective powers ceasing as aforesaid, vest in the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board for similar purposes to those for which they are now held.

6.—The Governor and Guardians and Commissioners respectively shall receive and pay all debts and liabilities to or from or by such authorities, in respect of the said District and every part thereof, up to the time when their powers shall cease as aforesaid, and thenceforth all debts and liabilities in respect of the said District shall respectively be paid to or satisfied by the said Local Board of Health; and all payments in respect thereof by the said Local Board of Health may be made out of the General District Rates leviable in the said District under the Local Government Act, 1858, and all payments in respect thereof to the said Local Board of Health shall go in aid of the General District Rates of the said District. And the future cost and expense of the execution by the said Local Board of Health of the transferred powers and authorities shall be paid out of and form part of the General District Rates of the said District, and be subject to the provisions relating to General District Rates: And the Provisions relative to rates heretofore levied under the said recited Acts, and every of them, shall, upon the confirmation of this Order, be repealed so far as concerns the said District.

Given under my hand this Sixth day of April One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE to which this Order refers.

The parts of the Local Act 1 & 2 Geo. 4. c. 22. referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act from section 16 to section 61, both inclusive, except sections 30, 31, 49, 50, 51, 53, 54, 55, and 56.

STROUD.

STROUD.

Provisional Order for extending the Borrowing Powers of the Stroud Local Board of Health.

Whereas the Public Health Act, 1848, has been duly applied to the area comprised within the boundaries of the Town of Stroud in the County of Gloucester, as defined in the second section of the Local Act of 6 Geo. 4. c. 6.; and, under the provisions of the Public Health Supplemental Act, 1857, 20 Vict. cap. 3., the Commissioners for the time being acting in execution of the said Local Act "for paving, lighting, watching, cleansing, regulating, and improving the town of Stroud, in the county of Gloucester," were appointed the Local Board of Health, under the said Public Health Act, subject to the provisions in the said last-mentioned Act contained as to the election of members.

And whereas the powers, authorities, and duties of the said Commissioners ceased from and after the passing of the aforesaid Public Health Supplemental Act, 1857, and were transferred to the said Local Board of Health, to be exercised as if they had been granted or imposed by the said Public Health Act; and all property and estate of the Commissioners acting in the execution of the said Local Act were also transferred to the said Local Board of Health, and all debts, monies, and securities for money contracted or payable, or to become payable by such Commissioners, were thenceforth to be satisfied by the said Local Board.

And whereas the said Local Board of Health have received sanction under the Local Government Act, 1858, and the Public Health Act, 1848, to borrow upon security of the rates of the aforesaid District of Stroud, sums amounting in the whole to Thirteen thousand five hundred pounds to defray the expense of Works for the Drainage of and Supply of Water to the said District, and other Works of a permanent nature under the aforesaid Acts; and, subsequently, a further sum of One thousand six hundred pounds to carry out and complete the said works, and to carry out other works of a permanent nature.

And whereas the said Local Board have now duly petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow, upon mortgage of the rates to be levied by them under the said Acts, the sum of 5,000*l.*, to enable them to erect gas works, and lay and fix the necessary mains, pipes, lamps, and other things for lighting the streets in their said Districts with gas, and for supplying such of the inhabitants of the District as are desirous of using gas; and the further sum of 400*l.* to enable them to defray the additional cost of the said works of Water supply so executed by them as aforesaid; the said sum of 54,00*l.*, to be borrowed upon security of the rates authorized to be made and collected under the Public Health Act, 1848, and Local Government Act, 1858, and to be repaid within a period of fifty years from the borrowing thereof.

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my Hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Stroud in the county of Gloucester shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, any sum or sums which shall not exceed in the whole the sum of Five thousand four hundred pounds; the said sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Sixth day of June 1864.

Signed G. Grey.

Local Government Supplemental (No. 3).

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, "1858," relating to the Districts of Sheffield, Bradford, Gloucester, and Stroud.

(Prepared and brought in by Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed* 26 *April* 1865.

[Bill 118.]

Under 4 *oz.*

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Bradford, and Gloucester.

Preamble.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act, except as to the Bradford Provisional Order that the Local Board for the District of Bradford shall not be empowered to put in force with reference to the Lands comprised in the Fourth Part of the Schedule to such Order the Powers of The Lands Clauses Consolidation Act, 1845, with respect to the Purchase and taking of Land otherwise than by Agreement.

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865, (No. 3)."

SCHEDULE of Provisional Orders referred to in the preceding Act.

Sheffield.—Repealing a Local Act in force within the District of the Sheffield Local Board.

Bradford (Yorkshire). — Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement, for Street Improvements.

Gloucester.—Repealing and altering Parts of Local Acts in force within the District of the Gloucester Local Board of Health.

SHEFFIELD.

Provisional Order repealing a Local Act in force within the District of the Sheffield Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Sheffield in the County of York, acting as the Local Board for the said District of Sheffield, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the District aforesaid, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the fifty-eighth year of the reign of King George the Third, intituled "An Act for cleansing, lighting, watching, and otherwise "improving the Town of Sheffield in the County of York."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The said Local Act 58 Geo. 3. cap. 54. shall be wholly and entirely repealed; and the exemption from rating conferred by the proviso to the 16th section of the said Act shall cease.

2.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then their debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

4.—All expenses under the said Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

Given under my hand this Sixth day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

BRADFORD.

BRADFORD.

Provisional Order, putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Bradford, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Bradford, in the County of York, acting as the Local Board of Health for that District, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for certain street improvements in the said District, as set forth and described in such Petition.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Bradford aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this First day of February in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, are the following:—

FIRST PART.

Comprising the LANDS required for the IMPROVEMENT of TYRREL STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Shop, Workshops, Warehouses, Cellar, Steps in Yard, and Frontage.	Joseph Fearnley Bonnell.	- - - -	Joseph Fearnley Bonnell, John Bowman, John Lupton.
2	Shop, Warehouse, Cellar, Coal Place, Steps, and Frontage.	Thomas Denison, Dyson Denison, and Mary Denison.	- - - -	David Parkinson, Richard Fletcher.
3	Blacksmith's Shop, Shoeing Shop, Warehouses, Dwelling Rooms, Steps, and Frontage.	Ditto - -	- - - -	Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher.
4	Shop, Steps, and Frontage.	Ditto - -	- - - -	Richard Fletcher.
5	Shops, Dwelling-house, Workshops, and Frontage.	Michael Smith -	- - - -	Christopher Wilkinson.
6	Cottage - - -	Ditto - -	- - - -	Christopher Wilkinson, David Parkinson.
7	Yard, Privy, and Ashpit.	John Ward, Trustee of late Susan Ward, Joseph Fearnley Bonnell, Thomas Denison, Dyson Denison, and Mary Denison, Michael Smith, John Lupton, Trustee of late Susan Ward, John Ward.	- - - -	John Lupton, Richard Fawcett, Joseph Fearnley Bonnell, John Bowman, David Parkinson, Samuel Royston and James Procter, Isaac Moses and Montague Moses, Richard Fletcher, Christopher Wilkinson.

SECOND PART.

Comprising the LANDS required for the IMPROVEMENT of MARKET STREET.

(SECTION B.)

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
8	Forecourt - -	John Stead - -	George Parkinson and Robert Clark.	George Parkinson and Robert Clark, Denbigh Scott, James Holroyd, Joseph Kaye, Thomas Clarke, Rodolphus Egan, Tom Akam, William Wilkinson, Thomas Hartley, and Samuel Priestley.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
9	Shop, Office, Dwelling-house, Yard, Coach-house, and Out-buildings.	John Stead	George Parkinson and Robert Clark.	George Parkinson and Robert Clark.
10	Office and Shutter Box.	Mrs. Emily Steele and James Wood, Trustees of John Steele.	Joseph Spink	Charles Waller, Joseph Spink.
11	Shop and Stock Room	Alfred Ogden	- - - -	Hannah Ogden and Alfred Ogden.
12	Piece Rooms	James Greaves Tetley Parkinson.	William Rouse and James Hammond.	William Rouse and James Hammond, John Glover, Maurice Goggin.
13	Shop, Dwelling House, Wash-house and Coal Place.	Ditto	- - - -	James Greaves Tetley Parkinson.
14	Piece Rooms	Ditto	- - - -	Charles Stanfield.
15	Yard and Passage	Benjamin Greenwood, Alfred Ogden, James Greaves Tetley Parkinson.	William Rouse and James Hammond.	George Edmund Donisthorpe, John Crofts and Richard Dawson, Joshua Wood, Benjamin Greenwood, Henry Mason, James Mallison, John Mallison, Hannah Ogden and Alfred Ogden, James Greaves Tetley Parkinson, Maurice Goggin, John Glover, William Rouse, and James Hammond.
16	Tobacco Manufactory	Alfred Ogden	- - - -	James Greaves Tetley Parkinson.
17	Privies, Ashpit, and Passage.	James Greaves Tetley Parkinson.	William Rouse and James Hammond.	William Rouse and James Hammond, John Glover, Maurice Goggin, James Greaves Tetley Parkinson.
		(SECTION E.)		
18	Public House, called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller	- - - -	Charles Dale.
19	Shop, Warehouses, Privy and Ashpit.	Henry Brown	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Store-room.	Eliza Senior	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brew-house, Warehouse, and Store-room.	Charles Waller, Eliza Senior.	Ditto	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller	- - - -	Charles Dale, J Fletcher.
23	Woolwaste Warehouse	Thomas Snow Waud.	- - - -	William Brown.
24	Woolwaste Warehouse	Hannah Green	- - - -	Joseph Hind, John Waller, and William Atkinson.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior -	- - - -	Joseph Dawson Sugden.
26	Piece Rooms, Storeroom, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy, and Ashpit.	Ditto - -	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting-houses and Cellars.	Thomas Wood Bartholomew, and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (limited) John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting-houses, Offices, Yard, and Front Area.	Ditto - -	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.
30	House and Eating Rooms.	Jane Woodhead -	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ash Pits, Manure Pit, Covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown, Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson, and Joseph Cockcroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph Mac Owan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
33	Shop and Warehouses	Francis Sharp Powell.	Henry Brown	John Greenwood.
34	Yard and Ashpit	Ditto	Ditto	John Greenwood, Henry Brown, and Thomas Parkinson Muff, Joseph Sowden, John Hall, William Brooksbank.
35	Tinner's Shop, Workshop, Warehouse, and Office.	Ditto	Ditto	Joseph Sowden, John Greenwood.
36	Passage and Public Way.	The Mayor, Aldermen, and Burgesses of Bradford, Francis Sharp Powell.	Ditto	The Mayor, Aldermen, and Burgesses of Bradford, Joseph Sowden, John Greenwood.
37	Shop, Cellar, Warehouses, and Back Area.	Francis Sharp Powell.	Ditto	John Hall, Joseph Kershaw, and Jonas Jowett.
38	House, Shop, Workshop, Cellar, and Back Area.	Ditto	Ditto	William Brooksbank.
39	Shop, Workshop, and Warehouse.	Ditto	Ditto	John Maude.
40	Beerhouse, called "Wakefield Arms," Cellar, and Urinal.	Ditto	Michael Stocks, Sarah Priestley.	Sarah Priestley.
41	Wool Warehouse and Privy.	Ditto	Michael Stocks	Joseph Hurst, James Cluderay.
42	Public House called "Roebuck Inn" and Dram Shop, Shop, Warehouses, and Piece Rooms.	Francis Sharp Powell.	John Dyson and James Dyson, John Aked.	Samuel Thomas, James Cluderay, Andrew Moulding, Richard Hardaker and Henry Widdop, Charles Keighley, John Fawcett.
43	Passage, Yard, Ashpit, and Privies.	Ditto	Ditto	Joseph Hirst, Sarah Priestley, James Cluderay, Abram Moseley and Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley Thomas Longbottom, Isaac White, Joseph Bottomley, Samuel Thomas, Henry Brown and Thomas Parkinson Muff, Andrew Moulding, Richard Hardaker and Henry Widdop, John Fawcett.
44	Coalplace, Stable, Steps, and Workshop.	Ditto	Ditto	Samuel Thomas, Henry Brown, and Thomas Parkinson Muff.
45	Wool and Waste Warehouses, Brewhouse, and Cellar.	Ditto	Ditto	Abram Moseley, Thomas Moseley, Henry Holdsworth and Robert Clough, Charles Keighley, Isaac White, Joseph Sowden, Samuel Thomas.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
46	Shop and Warehouse	George Royle Wright.	- - - -	Mark Oddy.
47	Shop and Warehouses	Ditto	- - - -	George Hannibal Isitt.
48	Warehouse and Bedrooms.	John Ratcliff	- - - -	Joseph Beanland.
49	Coalhouse, Warehouse, Shop, Yard, Privy, and Passages.	Ditto	- - - -	Joseph Beanland, John Hunter.
50	Kitchens and Warehouse.	Ditto	- - - -	Ditto.
51	Shop, Sitting-room, and Cellar.	Ditto	- - - -	Ditto.
52	Eating House and Shop.	Ditto	- - - -	Joseph Beanland.
53	Dwelling House and Shop.	Ann Mann, Joseph Wood	- - - -	Sarah Taylor, Harriet Taylor, and Ann Taylor, Joseph Beanland.
54	House and Shop	Ann Mann	- - - -	Edward Clayton Cooke.
55	Butcher's Shop and Bedroom, Kitchen.	Ditto	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Water-closet.	Ditto	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop	Ditto	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.
		(SECTION F.)		
61	Public House, called "Boar's Head Inn," Brewhouse, Yard, Ashpit, Privy.	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Joseph Blamires.
62	Shop, Room, Yard, Ashpit, and Privy.	Anne Metcalfe	- - - -	Sarah Hartley.
63	Shop	Joseph Farrar	- - - -	William Brown.
64	Shop, Dwelling House, and Cellar.	William Holgate	- - - -	William Holgate.
65	Shop, Room, Cellar, and Closet.	William Holgate, Timothy Longbottom, Trustee of late Nancy Longbottom.	- - - -	George Brown, William Holgate.
66	Shop, Workshops, Warehouse, Cellar.	Timothy Longbottom, Trustee of late Nancy Longbottom, William Holgate.	- - - -	George Brown.
67	Shop, Offices, and Workshop.	Johnson Atkinson Busfield.	- - - -	James Brown, Henry Ibbotson.

THIRD PART.

COMPRISING the LANDS required for the intended NEW STREET from BANK STREET to SUN BRIDGE, and for widening a portion of BANK STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
18	Public House, called "Hope and Anchor" Inn, Outbuildings, and Front Area.	Charles Waller	- - - -	Charles Dale.
19	Shop, Warehouses, Privy, and Ashpit.	Henry Brown	- - - -	Henry Brown and Thomas Parkinson Muff.
20	Warehouse and Storeroom.	Eliza Senior	Henry Brown and Thomas Parkinson Muff.	Ditto.
21	Saddle Room, Brewhouse, Warehouse, and Storeroom.	Charles Waller, Eliza Senior.	Ditto	Charles Dale, Henry Brown, and Thomas Parkinson Muff.
22	Stable, Workroom, and Workshop.	Charles Waller	- - - -	Charles Dale, J. Fletcher.
23	Wool Waste Warehouse.	Thomas Snow Waud.	- - - -	William Brown.
24	Wool Waste Warehouse.	Hannah Green	- - - -	Joseph Hind, John Waller, and William Atkinson.
25	Leather Dealer's Shop, Warehouse, and Front Area.	Eliza Senior	- - - -	Joseph Dawson Sugden.
26	Piece Room, Store Room, Shop, Workshops, Cellars, Front Area.	Eliza Senior, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent.
27	Passage, Yard, Privy and Ashpit.	Ditto	- - - -	Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth, Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross.
28	Workshops, Offices, Warehouses, Counting Houses, and Cellars.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Burton Brewery Company (Limited), John Johnston Parry, agent, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden.
29	Cellars, Piece Rooms, Bedrooms, Counting Houses, Offices, Yard, and Front Area.	Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior.	- - - -	Jonathan Smith, Burton Brewery Company (Limited), John Johnston Parry, agent, Edmund Hindle, Joseph Woodhead Monckman, Richard Mortimer Scholefield, Jane Woodhead.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
30	House and Eating Rooms.	Jane Woodhead -	- - - -	Jane Woodhead.
31	House, Shop, and Cellar.	Thomas Snow Waud	- - - -	Charles Dale.
32	Yard, Privies, Ashpit, Manure Pit, Covered Road.	Charles Waller, Henry Brown, Thomas Wood Bartholomew and William Hamond Bartholomew, Charles Senior, Eliza Senior, Hannah Green, Jane Woodhead, Thomas Snow Waud.	Henry Brown and Thomas Parkinson Muff.	Henry Brown, Thomas Parkinson Muff, Charles Dale, Jane Woodhead, Richard Mortimer Scholefield, John Denton, Armitage Wilkinson and Joseph Cockroft, William Brown, Mary Bentley, Burton Brewery Company (Limited), John Johnston Parry, agent, Jonathan Smith, Edmund Hindle, Joseph Woodhead Monckman, Joseph MacOwan, William Bowyer Cross, Joseph Dawson Sugden, John Barrow, John Sutcliffe, Sampson Illingworth.
69	Public House, called "The Fleece Inn," Brewhouse, Stables, and Frontage.	Robert Shackleton -	John Smith - -	John Smith.
70	Wool Waste Warehouses.	Ditto - -	Ditto - -	John Smith, John Hartley, Joseph Cooper.
71	Wool Waste Warehouses and Stable.	Ditto - -	Ditto - -	Samuel Procter and Charles Procter, and John Rawnsley.
72	Workshop - -	Ditto - -	Ditto - -	Robert Shackleton, John Fawcett, James Holliwell.
73	Corn Warehouse -	Ditto - -	Ditto - -	Robert Shackleton.
74	Yard, Passage, Privies, and Ashpit.	Robert Shackleton, Robert Holdsworth and Mrs. Judith Holdsworth, Mrs. Ryecroft.	Ditto - -	Henry Scott, Timothy Roper, David Laycock and Benjamin Laycock, Richard Brown, Thomas Holt, Henry Arensberg, John Smith, John Hartley, Joseph Cooper, Samuel Procter and Charles Procter, and John Rawnsley, Robert Shackleton, John Fawcett, James Holliwell.
75	Shop and Storeroom -	Robert Shackleton	- - - -	Henry Arensberg.
76	Shop and Workroom -	Ditto - -	- - - -	Thomas Holt.
77	Shop, Workshop, and Room.	Ditto - -	- - - -	Richard Brown.
78	Shop and Room -	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	David Laycock and Benjamin Laycock, Timothy Roper.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
79	House, Shop, and Warehouse.	Robert Holdsworth and Mrs. Holdsworth, Mrs. Ryecroft.	- - - -	Timothy Roper.
80	Shop and Workshop -	Ditto - -	- - - -	Joseph Wilson.
81	Dram Shop, Office, Warehouse, Bottling Room, Counting-house.	James Thistleton Haigh.	William Wright, Trustee of late James Wright.	William Wright, Trustee of late James Wright, Samuel Wright.
82	Shop and Warehouses	Ditto - -	John Conway - -	John Conway.
83	Ditto - - -	Ditto - -	Felix Marsh Remington.	Felix Marsh Remington
84	Yard, Privies, and Ashpit.	Ditto - -	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.	Felix Marsh Remington, John Conway, William Wright, Trustee of late James Wright.
85	Shop, Storeroom, Workshops, Class Rooms, Warehouse, and Printing Office.	James Willins Taylor.	Joseph Parkinson and Henry Myers.	Joseph Parkinson and Henry Myers, Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood.
86	Shop and Billiard Rooms.	Ditto - -	William James -	William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner.
87	Shop, Piece Rooms, Storerooms.	Ditto - -	Thomas Ramsden -	Thomas Ramsden, James Collinson, Dan Robinson, Henry Cockroft, William Ackroyd, William Gawthrop.
88	Shop, Warehouse, Piece Rooms, Meeting Room, and Privy.	Ditto -	William Dawson Mortimer.	William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary.
89	Passages, Yards, Privies, and Ashpits.	Ditto - -	Joseph Parkinson and Henry Myers, William James, Thomas Ramsden, William Dawson Mortimer.	Fred. Smart, John Firth, Richard Fawkes Wardman, Jonas Wood, William Dawson Mortimer, James Collinson, Mormons' Society, Joseph Bull, Secretary, Thomas Ramsden, Dan Robinson, Henry Cockroft, William Ackroyd, William James, Warehousemen's Society, Thomas Firth, Secretary, John Turner, Joseph Parkinson, and Henry Myers, William Gawthrop.
90	Shop and Warehouse	Elizabeth Rawson	John Fawcett -	John Fawcett.
91	Shop - - - -	Ditto - -	Ditto - -	Ditto, John Poppleton.
53	Dwelling-house and Shop.	Ann Mann, Joseph Wood.	- - - -	Sarah Taylor, Harriet Taylor, Ann Taylor, Joseph Beanland.
54	House and Shop -	Ann Mann - -	- - - -	Edward Clayton Cooke.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
55	Butcher's Shop and Bedroom, Kitchen.	Ann Mann	- - - -	John Ratcliffe, Edward Clayton Cooke.
56	Shop, Cigar Manufactory, and Warehouses.	Ditto	- - - -	Samuel Walsh.
57	Shop, Workshop, Warehouse, Passage, and Offices.	Ditto	- - - -	Benjamin Butterfield, Henry Yewdall.
58	Yard, Ashpit, and Privy.	Ditto	- - - -	Edward Clayton Cooke, John Ratcliffe, Samuel Walsh, Benjamin Butterfield, Henry Yewdall.
59	Shop, Warehouses, Yard, and Watercloset.	Ditto	- - - -	Thomas Alderson and Joseph Alderson.
60	Shop	Ditto	- - - -	Thomas Alderson and Joseph Alderson, Joseph Hartley.

FOURTH PART.

COMPRISING the LANDS required for the intended NEW STREET from BANK STREET TO KIRKGATE.

92	Part of Shop	John Rawson and Thomas Buck.	- - - -	Joseph Hartley, Joseph Rhodes.
93	Ditto	Ditto	- - - -	George Farmery, Joseph Rhodes.
94	Part of Shop and Piece Room.	Ditto	- - - -	William Cass.
95	Ditto	Ditto	- - - -	John Irwin, Charles Lumb.
96	Ditto	Ditto	- - - -	William Mansfield.
97	Warehouses, Shops, Piece Rooms, Offices, Water-closets, Houses, Beershop called "Piece Hall Vaults," Passage, and Frontage.	Ditto	- - - -	John Wilcock, Eli Bottomley, Charles Howard, and Edward Holdsworth, Henry Roberts and Samuel Roberts, Thomas Williamson.
98	Public-house called "Talbot Inn," Yard, Brewhouse, Coach-house, Stables, Ash-pits, Privy, and Manure Pit.	Thomas Wood Bartholomew and William Hamond Bartholomew.	Benjamin Briggs Popplewell, Assignee of John Bell.	Benjamin Briggs Popplewell, Assignee of John Bell.
99	Warehouse	Thomas Wood Bartholomew and William Hamond Bartholomew.	Ditto	Robert Lancester.
100	Wireworker's Shop	Ditto	Ditto	Joseph Rhodes.
101	Eating House	Ditto	Ditto	Abel Archer.
102	Talbot Yard	Ditto	Ditto	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
103	Shop, Dwelling-house, Area, and Ashpit.	Reverend George Barber Paley and Reverend George Mason.	- - - -	John McCroben, and Edward McCroben.
104	Yard and Road -	Ditto - -	- - - -	Benjamin Briggs Popplewell, Assignee of John Bell, Joseph Swaine, Joseph Rhodes, Abel Archer, John McCroben and Edward McCroben, Ann Northrop, and Martha Northrop.
105	Shop and Dwelling-house.	Ditto - -	- - - -	Ann Northrop, and Martha Northrop.
106	Office and Work-room	Ditto - -	- - - -	James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary.
107	Dwelling-house -	Ditto - -	- - - -	William Holgate.
108	Offices - - -	Ditto - -	- - - -	George Humble.
109	Offices, Coal Closet, and Steps.	Ditto - -	- - - -	William Gilyard, John Jowett Hill.
110	Offices, Porch, House, Shop, Warehouse, Cellars, Area, and Frontage.	Ditto - -	- - - -	William Gilyard, William Hargreaves, James Taylor.
111	Shop, Dwelling-house, and Frontage.	Ditto - -	- - - -	Thomas Whitfield.
112	Shop, Dwelling-house, Area, and Frontage.	Ditto - -	- - - -	Henry Arensberg and Louis Arensberg.
113	Shop, Dwelling-house, and Coal Place.	Reverend George Barber Paley and Reverend George Mason.	- - - -	James Bowes.
114	Shop, Workrooms, and Coal Place.	Ditto - -	- - - -	Henry Rhodes.
115	Passage, Yard, Privy, and Ash Pit.	Ditto - -	- - - -	James Taylor, Thomas Whitfield, Henry Arensberg and Louis Arensberg, James Bowes.
116	Warehouses and Steps	Ditto - -	- - - -	William Hudson Bilbrough, Edmund Jowett.
117	Ditto - - -	Ditto - -	- - - -	Francis Lister and Joseph Jowett.
118	Shops, Dwelling-house, Warehouse, Yard, Area, Post Office, Offices, and Workshops.	Ditto - -	- - - -	Edwin Davis, John Boast, Henry Francis Lockwood, William Mawson and Richard Mawson, Henry Ogle Mawson, William Coates (Postmaster).

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
119	Yard, Privies, and Ashpits.	Ditto - -	- - - -	Ann Northrop, James Whalley, William Holgate, Stuff Makers Up Friendly Society, Joseph Hall, Secretary, George Humble, William Gilyard, John Jowitt Hill, William Hargreaves, Henry Rhodes, William Hudson Bilbrough, Edmund Jowitt, Henry Ogle Mawson, Edwin Davis, John Boast, William Coates, Henry Francis Lockwood, William Mawson and Richard Mawson.
120	Public Foot Road called "Union Passage."	The Mayor, Aldermen, and Burgesses of Bradford, Reverend George Barber Paley, and Reverend George Mason.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
121	Boundary Wall -	Ann Rouse, John Seppings Harrison and Thomas Emsley, Trustees of late David Rouse.	—	—

FIFTH PART.

COMPRISING the LANDS required for the EXTENSION of BROOK STREET.

122	Wool Warehouses, Offices, and Piece Rooms.	Richard Polycarp Mortimer.	- - - -	Thomas Robertshaw, Luther Robertshaw, Calvin Robertshaw and Illingworth Robertshaw, Samson Woller.
123	Ditto - -	Ditto - -	- - - -	James Oddy, Joseph Oddy, Thomas Oddy and William Oddy, James Lund.
124	Shop, Wool Warehouses, and Frontage.	William Reynald -	Benjamin Tetley and William Tetley.	William Reynald, Benjamin Tetley, William Tetley.
125	Shop, Office, Warehouses, and Frontage.	William Reynald -	James Oldfield and John Reffitt.	James Oldfield, John Reffitt, Alfred Ellison.
126	Ashpit - - -	Ditto - -	Benjamin Tetley and William Tetley, James Oldfield and John Reffitt.	William Reynald, Benjamin Tetley and William Tetley, James Oldfield and John Reffitt, Alfred Ellison.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
127	Street called "Ship Alley."	The Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.

SIXTH PART.

COMPRISING the LANDS required for the intended NEW STREET from WESTGATE to THORNTON ROAD.

128	Public House called "Bee Hive Inn," Brewhouse, Cottage, Stables, Timber Yards, Slaughter Houses, Blacksmith's Shop, Privies, and Outbuildings.	John Hamerton, Richard Sterne Carroll, Mary Ellen de Cardonel Wright, Rev. Thomas Booth Wright, and John Field Wright, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters, Jane Lancaster, Frederick Johnson, Jane Waterhouse Burnett, Joseph Popplewell, Thomas Archbell Smith, John Hirst Thornton, Richard Berry.
129	Yards, Passages, Bridge, and Open Ground.	Ditto - -	- - - -	John Ambler, James Sadler, Joseph Greetham, John Waters Jane Lancaster, Frederick Johnson, Thomas Archbell Smith, Jane Waterhouse Burnett, Joseph Popplewell, John Hirst Thornton, Richard Berry, Harrison Nicholson.
130	House, Shop, and Coal Place.	Ditto - -	- - - -	Thomas Archbell Smith.
131	House, Shop, Coal Place, Coach-house, Stable, and Warehouse.	Ditto - -	- - - -	Harrison Nicholson.
132	Mill Goit - -	John George Smyth	- - - -	Edward West, John Slater Stansfield.
133	Goit Side and Public Footpath.	John George Smyth, the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	The Mayor, Aldermen, and Burgesses of Bradford.
134	Whitesmith's Shop, Schoolroom, Cart Shed, Stables, Yard and Outbuildings, and Byewash.	John George Smyth	- - - -	Joseph Parrott, Edward West, and John Slater Stansfield.
135	Foundry and Yard -	Ditto - -	- - - -	John Willis.
136	Workshops, Warehouses, and Yard.	Michael Nelson -	- - - -	Edward Hillam, Joseph Garner, Michael Nelson.
137	House and Coalplace	John Christopher Smith.	- - - -	Sally Smith.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
138	Slaughter House, Workshops, and Yard.	John Christopher Smith.	- - - -	Samuel Bidwell, David Blowers and Edward Kemp, Sally Smith, Philip Smith, Elizabeth Smith.
139	Cottage and Land -	Abraham Shepherd, Sarah Holmes, Representatives of Abel Stell, viz. Mrs. Ellen Oddy, David Earnshaw, William Townend, Reuben Stell, Mrs. Hird, John Wood, Joseph Wood, Samuel Stell, James Stell, William Hanson, Charles Crabtree, Representatives of James Clegg.	- - - -	Thomas Wilson.
140	Cottage and Wall -	Ditto - -	- - - -	John Kennedy.
141	Ditto - - -	Ditto - -	- - - -	Joseph Foster.
142	Cottage and Wall -	Ditto - -	- - - -	Tabitha Horsfield.
143	Cottage, Coal-place, and Wall.	Ditto - -	- - - -	Jonathan Forster.
144	Cottage, Coal-place, and Yard.	Ditto - -	- - - -	Sarah Beetham.
145	Cottage - -	Ditto - -	- - - -	Sarah Beetham.
146	Cottage, Yard, and Coal-place.	Ditto - -	- - - -	Benjamin Firth.
147	Yard and Privy -	Ditto - -	- - - -	Sarah Beetham, Benjamin Firth, Sally Smith, Samuel Bidwell, David Blowers and Edward Kemp, Philip Smith, Elizabeth Smith, Samuel Pollard, John Kennedy, Joseph Foster, Tabitha Horsfield, Jonathan Foster.
148	Byewash - - -	Thomas Firth, Michael Nelson, John George Smyth.	- - - -	Edward West, John Slater Stansfield.
149	Vacant Ground and Beck.	Thomas Firth - -	- - - -	Joseph Freeman.
150	Workshop, Warehouse, and Ground.	Ditto - -	- - -	Richard Lacey.
151	Dwelling House and Shop.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- -	Samuel Tiplady.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
152	Dwelling House and Office.	Jonas Illingworth, John Schofield, and The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary.	- - - -	Jonas Illingworth.
153	Warehouses - -	Ditto - -	- - - -	Robert Sutcliffe, Lockwood Stephenson.
154	Ditto - - -	John Schofield -	- - - -	John Ellis and Abraham Jagger.
155	Ditto - - -	Ditto - -	- - - -	Jonathan Aykroyd and Thomas Wroe.
156	Ditto - - -	Ditto - -	- - - -	Jonathan Holdsworth.
157	Ditto - - -	Joseph Hopkinson and Thomas Hopkinson.	- - - -	Samuel Lee, Joseph Hopkinson and Thomas Hopkinson.
158	Workshops and Warehouses.	Ditto - -	- - - -	Joseph Hopkinson and Thomas Hopkinson.
159	Warehouses - -	William Rhodes -	John Scott and John Whittaker.	John Scott and John Whittaker.
160	Workshops and Warehouses.	William Rhodes -	John Scott and John Whittaker.	William Rhodes, John Scott, and John Whittaker.
161	Workshops - -	John Schofield -	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, William Parkinson, Denton Waring, John Warburton.
162	Yard, Passage, Privies, and Ashpit.	Jonas Illingworth, John Schofield, The Bingley, Morton, and Shipley Benefit Building Society, — Walbank, Secretary, Joseph Hopkinson, and Thomas Hopkinson.	- - - -	Samuel Longbottom, Joseph Freeman, Booth Illingworth, John Ellis and Abraham Jagger, Robert Sutcliffe, Lockwood Stephenson, Jonathan Ackroyd and Thomas Wroe, Jonathan Holdsworth.
163	Street, called "Wade Street."	John George Smyth, Michael Nelson, Thomas Firth, William Rhodes, Jonas Illingworth.	Joseph Hopkinson and Thomas Hopkinson.	John Willis, Edward Hillam, Joseph Garner, Michael Nelson, William Rhodes, John Scott and John Whittaker, Joseph Hopkinson and Thomas Hopkinson.

SEVENTH PART.

Comprising the Lands required for the Improvement of Westgate.

164	House, Shop, Yard, Privy, and Ashpit.	Christopher Sewell	- - - -	Christopher Sewell.
165	Public House, called "Half Moon," Yard, Privy, and Ashpit.	Ditto - -	- - - -	William Wharton.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
166	Public House called "Westgate Tavern," Yard, Privy, and Ashpit.	William Bakes - -	- - - -	Richard Hyde, Charles Waller, Thomas Kelly.
167	Public House called "Dusty Miller," Yard, Privy, and Ashpit.	Christopher Irving	- - - -	William Unwin.
168	Dwelling House, Shop, and Yard.	Ditto - -	- - - -	James Sadler.
169	House - - -	Hall Aspinall -	- - - -	Hall Aspinall.
170	House - - -	John Aspinall - -	- - - -	John Aspinall.
171	Stable and Room over	Hall Aspinall and John Aspinall.	- - - -	Hall Aspinall and John Aspinall.
172	Brewhouse - -	John Aspinall -	- - - -	William Unwin.
173	Privy and Ashpit -	Hall Aspinall -	- - - -	Hall Aspinall, John Aspinall, Daniel Smith.
174	House - - -	James Brown -	- - - -	Daniel Smith.
175	Yard called Aspinall's Yard.	Christopher Irving, William Bakes, Christopher Sewell, Hall Aspinall, John Aspinall, Hall Aspinall, and Isaac Brown, Trustees of late John Aspinall, James Brown.	- - - -	James Sadler, William Unwin, Richard Hyde, Thomas Kelly, William Wharton, Christopher Sewell, Hall Aspinall, John Aspinall, and Daniel Smith.

EIGHTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of JAMES STREET.

176	Shop, House, Warehouse, and Privy.	William Wells -	- - - -	Francis Garvey.
177	Shop, House, Privy, and Yard.	Ditto - -	- - - -	George Brook.
178	Yard, Wall, and Ashpit.	Ditto - -	- - - -	George Brook, Francis Garvey.
179	Warehouses and Workshops.	Elizabeth Smith and Richard Waterhouse, Trustees of the late Jonas Smith.	- - - -	Joshua Lambert, John Wesley Smith.
180	Slaughter House and Yard.	Henry Westwood and Benjamin Pickles.	- - - -	Joseph Lumby.
181	Carthouse, Stable, Manure Pit, and Yard.	Ditto - -	- - - -	Robert Morrell.
182	Privy and Ashpit -	Ditto - - -	- - - -	Benjamin Pickles.
183	Vacant Ground called "Old Quarry."	Ditto - -	- - - -	Unoccupied.

NINTH PART.

COMPRISING the LANDS required for the intended NEW STREET from JAMES STREET to DARLEY STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
184	Shops, Dwelling-house, Yards, and Outbuildings.	Trustees of Kirkgate Wesleyan Chapel, Thomas Haigh, Secretary.	- - - -	Thomas Lund, Edward Harland, Joseph Lancaster, Tom Harland.
185	Private Road - -	Trustees of Kirkgate Wesleyan Chapel.	- - - -	Trustees of Kirkgate Wesleyan Chapel, Edward Harland, Tom Harland, Joseph Lancaster.
186	Yard, Slaughter House, and Privies.	Elizabeth Rawson -	- - - -	Elizabeth Rawson.
187	Public House, called "Market Tavern," Yard, and Outbuildings.	Ditto - -	- - - -	James Hammond.
188	Street, and part of Market.	Ditto - -	- - - -	Elizabeth Rawson, William Walmsley, Henry Badman, Edward Topham.
189	Wool Warehouse, Office, and Butter Market.	Ditto - -	- - - -	John Light, Joseph Rhodes, Thomas Midgley, Charles Hill, John Hodgson, Mayor, Aldermen, and Burgesses of the Borough of Bradford, Samson Leigh, Henry Badman, Benjamin Ackroyd, Joseph Crabtree, James Hagley, John Goodall.

TENTH PART.

COMPRISING the LANDS required for the IMPROVEMENT of DUKE STREET.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
190	Stable, Coach-house, Yard, Privy, and Manure Pit.	William Aked, Jeremiah Robertshaw, and the Mayor, Aldermen, and Burgesses of Bradford.	- - - -	Thomas Robinson.
191	Offices, Dwelling-house, Privy, and Garden.	Ditto - -	- - - -	John Darlington.

ELEVENTH PART.

Comprising the Lands required for the Improvement of Kirkgate and Ivegate.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
192	Shop and Workshops	Bailey Blackburn	- - - -	Thomas Hunter.
193	Shops and Warehouse	Ditto	- - - -	Bailey Blackburn, John Riley.
194	Shop, Dwelling-house, Warehouse, Outbuildings, and Area.	John Charles Pearce	- - - -	Hannah Chatterton, Michael Newbould.
195	Shop, Dwelling-house, Warehouse, Area, and Frontage.	Ditto	- - - -	Ann Newton, Squire Dracup.
196	Shop, Warehouses, and Frontage.	Ditto	- - - -	John Hudson Waite, Michael Newbould.
197	Yard, Privy, and Ash-pit.	Ditto	- - - -	Hannah Chatterton, John Hudson Waite, Michael Newbould.
198	Shop, Dwelling-house, Workshop, Warehouse, and Frontage.	Ditto	- - - -	Michael Newbould, John Hudson Waite.
199	Workshop and Warehouse.	Ditto	- - - -	John Pearson.

TWELFTH PART.

Comprising the Lands required for the Improvement of Carlisle Road.

No. on Plan.	Description of Land intended to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
200	Cottage, Yard, and Outbuildings.	James Atkinson Jowett.	- - - -	Elizabeth Rhodes.

GLOUCESTER.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Gloucester Board of Health.

Whereas the Mayor, Aldermen, and Citizens of the City of Gloucester, in the County of the City of Gloucester, acting as the Local Board of Health in and for the City of Gloucester aforesaid, being the District of the said Board in which the Public Health Act, 1848, "The Public Health Supplemental Act, 1849;" and "The Local Government Act, 1858," are in force, have, in pursuance of the Local Government Act, 1858, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of and transfer of powers under certain Local Acts of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the fourth year of the reign of King George the Third (Cap. 60.), intituled "An Act for the more effectual relief and employment "of the Poor within the City of Gloucester, and for lighting the streets "of the said City;"

A certain other Act passed in the twenty-first year of the reign of King George the Third (Cap. 74.), intituled "An Act for erecting a new gaol "and for removing certain gateways in the City of Gloucester; and for "amending the several Acts passed for the maintenance and support of "the Poor of the said City, and lighting, paving, and regulating the "streets there;"

A certain other Act passed in the fifty-ninth year of the reign of King George the Third (Cap. 69.), intituled "An Act for enabling the Governor "and Guardians of the Poor of the City of Gloucester to light the said "City with gas, and to enter into the necessary contracts for that "purpose;"

A certain other Act passed in the first and second years of the reign of King George the Fourth (Cap. 22.), intituled "An Act for establishing a "proper place for holding markets and fairs for the sale of live stock in "the City of Gloucester and the suburbs thereof, and for opening convenient avenues thereto, and for watching and otherwise improving the "said City;" and

A certain other Act passed in the fourth year of the reign of King William the Fourth (Cap. 44.), intituled "An Act to provide for lighting the "suburbs of the City of Gloucester with gas."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Act passed in the first and second years of the reign of King George the Fourth (Cap. 22.) specified in the Schedule hereunto annexed shall be repealed.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act 1 & 2 Geo. 4. c. 22. shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board of Health aforesaid.

3.—All the powers of the Governor and Guardians of the Poor within the aforesaid District, under any of the said herein-before recited Acts, for the erection of gasworks and the supply of gas for public or private consumption shall cease and determine, and the said Acts, so far as they confer such powers, shall be repealed; and the said Local Board shall, within the said District, possess all the powers in relation to lighting, except as aforesaid, conferred by the said Acts on the said Governor and Guardians; but this clause shall not come into operation

tion until the first day of July or the first day of January which shall happen next after the confirmation of this Order; and notwithstanding such repeal the Governor and Guardians may recover any rate or rates then due and unpaid.

4.—All the powers of the Commissioners acting in execution of the hereinbefore recited Local Act 4 Will. 4. c. 44., within the said District, shall cease and determine, and the powers for lighting conferred by the 22d section of the said Act, so far as relates to its operation in the said District or part thereof, shall be transferred to the said Local Board; but this clause shall not come into operation until the first day of July or the first day of January which shall happen next after the confirmation of this Order; and notwithstanding such transfer the Commissioners may recover any rate or rates then due and unpaid.

5.—All property and estate of the aforesaid Governor and Guardians in respect of the lighting of the said streets, and of the Commissioners respectively under the said several Local Acts, so far as regards the said District, shall, upon their respective powers ceasing as aforesaid, vest in the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board for similar purposes to those for which they are now held.

6.—The Governor and Guardians and Commissioners respectively shall receive and pay all debts and liabilities to or from or by such authorities, in respect of the said District and every part thereof, up to the time when their powers shall cease as aforesaid, and thenceforth all debts and liabilities in respect of the said District shall respectively be paid to or satisfied by the said Local Board of Health; and all payments in respect thereof by the said Local Board of Health may be made out of the General District Rates leviable in the said District under the Local Government Act, 1858, and all payments in respect thereof to the said Local Board of Health shall go in aid of the General District Rates of the said District. And the future cost and expense of the execution by the said Local Board of Health of the transferred powers and authorities shall be paid out of and form part of the General District Rates of the said District, and be subject to the provisions relating to General District Rates: And the Provisions relative to rates heretofore levied under the said recited Acts, and every of them, shall, upon the confirmation of this Order, be repealed so far as concerns the said District.

Given under my hand this Sixth day of April One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE to which this Order refers.

The parts of the Local Act 1 & 2 Geo. 4. c. 22. referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act from section 16 to section 61, both inclusive, except sections 30, 31, 49, 50, 51, 53, 54, 55, and 56.

Local Government Supplemental (No. 3).

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To confirm certain Provisional Orders under "The Local Government Act, "1858," relating to the Districts of Sheffield, Bradford, and Gloucester.

(*Prepared and brought in by Mr. Baring and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1865.

[Bill 152.]

Under 4 *oz.*

A

B I L L

TO

Confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the Hastings District.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made a certain Provisional Order which is contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Order shall be of any Validity whatever until it shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act. Provisional Order in Schedule confirmed.

2. This

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865" (No. 4.)

SCHEDULE of Provisional Order referred to in the preceding Act.

HASTINGS.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Hastings Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.

HASTINGS.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Hastings Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Hastings in the County of Sussex, by the Council of the said Borough, being the Local Board of Health in and for the District of Hastings in the said Borough, to which the Public Health Act, 1848, has been duly applied, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land for the purpose of widening and otherwise improving the road in the said Borough known as Ore Lane, and shown on the plan accompanying such Petition, such land and buildings being all situate within the District of the said Local Board.

AND WHEREAS the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, and the names of the owner, lessees, and occupiers of the aforesaid land, who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed ROBERT MORGAN, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Hastings, by the Council of the said Borough, being the Local Board of Health for the District of Hastings in that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-first day of January One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following:—

Description of Land.	Owner.	Occupiers.
All those Pieces or Parcels of Arable and Pasture Land and Brickyard, containing 3 Roods 14½ Perches, or thereabouts, in the Parish of St. Mary in the Castle and Ore in Hastings, particularly described and delineated in the Plan accompanying the Local Board of Health's Petition.	Charles Hay Frewen, Esq., of Coghurst Hall near Hastings.	John Howell. Alfred Banks. Edmund Chapman. Henry Phillips. James Field.

Local Government
Supplemental (No. 4).

A

B I L L

To confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the Hastings District.

(Prepared and brought in by
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
9 *May* 1865.

[Bill 132.]

Under 1 *oz*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government, Act, 1858," relating to the Districts of Nottingham, Rusholme, Plymouth, Redcar, Cardiff, Kingston-upon-Hull, Guildford, Ramsgate, Ryde, Workington, and Oxford, and for other Purposes relative to certain Districts under the said Act.

Preamble.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after *the passing of this Act*, be absolute, and be as binding and of like Force and Effect as if the Provisions of the same had been expressly enacted in this Act: Provided always, that nothing in this Act, or in the Order hereby confirmed, with relation to Ramsgate, shall be deemed or construed to extend to or affect Ramsgate Harbour or the Soil thereof, or any other Property transferred to and vested in the Board of Trade by the "Harbours and Passing Tolls, &c. Act, 1861;" and all Rights, Powers, and Privileges of the Board of Trade are hereby expressly reserved, save only that parochial and other local Rates shall still be payable on those Parts of the said Property within the District of Ramsgate in which they have heretofore been payable.

Proviso as to Rights of Board of Trade in Ramsgate Harbour, &c.

Repeal of South Wales Highway Act, Briton Ferry, Llanelly, and Aberavon.

2. The Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty (23 & 24 Vict. Cap. 68), intituled "The South Wales Highway Act," shall be repealed so far as it relates to the Districts of Briton Ferry in the County of Glamorgan, and Llanelly in the County of Carmarthen, within which Districts the Local Government Act, 1858, is now in force. And whereas Doubts have arisen as to the Effect of the Provisional Order repealing the said Act within the District of Aberavon, in the County of Glamorgan: It is hereby declared, that the said Act shall be deemed and taken to be repealed within the said District as if the Repeal thereof had been provided by express Enactment in the Act confirming the said Order.

Repeal of Isle of Wight Highway Act in Ventnor, East Cowes, Sandown, and Shanklin.

3. The Act passed in the Fifty-third Year of the Reign of King George the Third, intituled "An Act for amending the Roads and Highways in the Isle of Wight," shall be repealed so far as it relates to the District of Ventnor, within which the Local Government Act, 1858, is now in force. And whereas Doubts have arisen as to the Effect of the Provisional Orders repealing the said Isle of Wight Highway Act within the Districts of East Cowes, Sandown, and Shanklin: It is hereby declared, that the said Act shall be deemed and taken to be repealed within the said Districts as if the Repeal thereof had been provided by express Enactment in the Acts confirming the said Orders.

The Oxford Local Board to be elected between the 9th and 24th of November annually.

4. The yearly Election of the Members of the Local Board for the District of Oxford under Section Eighty-two of "The Local Government Act, 1858," shall take place on such Day between the Ninth and Twenty-fourth Days of November in every Year, not being Sunday, as the Local Board from Time to Time at their ordinary Meeting in the Month of October in the respective

Year determine; and the Members of the Local Board already and from Time to Time hereafter elected shall continue in Office until the Commencement of the Meeting of the Local Board next after the Day of the then next yearly Election of Members thereof, and thereupon the Members then elected shall come into Office: Provided that if and whenever the Local Board do not so fix any other Day for the yearly Election, then it shall take place on the Tenth Day of November, or, if that Day be Sunday, on the then next Day.

The Ratepayers of each Parish in the Oxford District to elect One Member in Vestry.

5. The Members of the Oxford Local Board to be elected by the Ratepayers of the Parishes within the District shall be elected One for every Parish by the Ratepayers of the respective Parish, and, except as is by this Act otherwise provided, shall be so elected by the Ratepayers in Vestry assembled.

Members of the University not required to make Declaration.

6. It shall not be obligatory on any of the Fifteen Members of the Local Board from Time to Time elected by the University of Oxford to make any Declaration of Qualification for the Office of Member of the Local Board.

The Local Board shall appoint Chairman.

7. The Oxford Local Board shall yearly, at their First Meeting in November, appoint One of their Number to be Chairman for One Year at all Meetings at which he is present; and in case the Chairman so appointed be absent from any Meeting at the Time appointed for holding the same, the Members present shall appoint One of their Number to act as Chairman thereat; and in case the Chairman appointed for the Year die, resign, or become incapable of acting, another Member shall be appointed to be Chairman for the Period during which the Person so dying, resigning, or becoming incapable would have been entitled to remain in Office, and no longer; and the Chairman at any Meeting shall have a Second or Casting Vote in case of an Equality of Votes.

All public Buildings (except Churches) shall be assessable to the General District Rates.

8. All public Buildings of the University and City of Oxford, and any Lands, Tenements, and Hereditaments within the Oxford District not now assessed or assessable to Rates for the Relief of the Poor, except all such as belong to or are held by the County, and except Churches and other public Places of Religious Worship, shall be assessable on a fair Valuation thereof by an equal Pound Rate to the General District Rates, to be from Time to Time made and levied by the Local Board.

Provisions in case of the Addi-

9. If and when any Part of the Parish of Cowley is added to the Oxford District, then and thenceforth the Number of Members tion to the District of a Part of Cowley Parish.

of the Local Board for the Oxford District shall be increased by One:

(*a.*) The Cowley Member shall from Time to Time be elected by the Owners and Ratepayers within that Part of the Parish of Cowley:

(*b.*) The First Election of the Cowley Member shall take place within Forty-two Days after the passing of this Act, on a Day which shall, within Fourteen Days after the passing of this Act, be appointed by the Chairman of the Local Board:

(*c.*) The Cowley Member so first elected shall continue in Office until the Commencement of the Meeting of the Local Board next after the Day of the yearly Election of Members of the Local Board in the Year One thousand eight hundred and sixty-six:

(*d.*) The yearly Election of the Cowley Member shall take place in the Year One thousand eight hundred and sixty-six, and in every subsequent Year on the Day for the yearly Election of other Members of the Local Board:

(*e.*) The Chairman of the Local Board shall be the Summoning Officer for the Purposes of every Election of the Cowley Member:

(*f.*) In all other respects the Provisions of every Act of Parliament from Time to Time in force with respect to the Members of the Local Board, and their Election and Continuance in Office and Retirement from Office, shall, so far as the same are applicable, extend and apply to the Cowley Member.

The Parish of Binsey how to be represented.

10. The Member of the Oxford Local Board now elected for the Parish of Saint Thomas shall henceforth be elected for that Parish and for the adjoining Parish of Binsey, as if they were One Parish, and for the Purposes of the Election the Two Parishes shall be deemed to be One Parish:

(*a.*) For the Election the Ratepayers of the Parish of Binsey shall form Part of the Vestry of the Parish of Saint Thomas:

(*b.*) Notices of the Vestry Meetings of the Parish of Saint Thomas for the Election shall be given by the Summoning Officers of that Parish to the Ratepayers of the Parish of Binsey as if they were Ratepayers of the Parish of Saint Thomas.

Provisions in case of the Addi-

11. If and when any Part of the Parish of North Hincksey is added to the Oxford District, then the Member of the Local Board now elected for the adjoining Parish of Saint Aldate shall thenceforth be elected for that Parish and for that Part of the Parish of North Hincksey as if they were One Parish; and for the Purposes of the Election the Parish of Saint Aldate and that Part of the Parish of North Hincksey shall be deemed to be One Parish; for the Election the Ratepayers of that Part of the Parish of North Hincksey shall form Part of the Vestry of the Parish of Saint Aldate.

tion to the Oxford District of a Part of North Hincksey Parish.

Overseers of Cowley and Binsey and North Hincksey to produce Rate Books.

12. For the Purposes of this Section, and with respect to each of the Parishes of Cowley and Binsey and North Hincksey respectively, the Overseers of the respective Parish shall, when the Oxford Local Board by Notice in Writing to them so require, produce to such Persons as the Local Board specify in the Notice, and permit them to inspect and transcribe, the Rate Books for the then current and then last Rates for the Relief of the Poor of the respective Parish, and shall afford to those Persons all proper and sufficient Facilities in that Behalf; and if whenever any Overseer of any of those Parishes in any way offends against this Provision, then every Person so offending shall for every such Offence forfeit and pay to the Oxford Local Board any Sum not exceeding *Five Pounds*.

Penalty in default.

Provisional Order made applicable to the Oxford District and Board as from Time to Time constituted.

13. The Provisional Order relating to the Oxford District set forth in the Schedule to this Act annexed shall, in accordance with the Provisions of this Section, apply to the Oxford District and the Local Board for the Oxford District as that District and that Local Board respectively are from Time to Time constituted.

Assessment Committee to be appointed by the Local Board.

14. The Oxford Local Board, within Fourteen Days after their yearly Election, shall appoint for the current Year a Committee of their own Number to be the Assessment Committee, and shall determine their Number, Quorum, and Procedure, and shall, when requisite, supply Vacancies in their Number:

(*a*.) All Objections to the General District Rate shall be heard and considered by the Assessment Committee:

(*b*.) And if and when the Assessment to the Rate for the Relief of the Poor of all or any Part of the Property assessable to the General District Rate to be made and levied by the Local Board is in the Judgment of the Local Board an unfit Criterion for making a General District Rate, or there is no such Assessment, the net annual Value of the Property shall be ascertained by the Assessment Committee.

The Mayor and Recorder of the City

15. The Mayor and Recorder of the City of Oxford, and the Vice-Chancellor of the University of Oxford, instead of the Court of Oxford, and the Vice-Chancellor of the University of Oxford, to be a Court of Appeal for Objections to Assessments.

of Quarter Sessions, shall be the Court of Appeal for all Purposes of Appeals from Assessments and Rates of the Local Board:

(*a.*) Provided that during the Absence of the Recorder the Deputy Recorder, and during the Absence of the Vice-Chancellor One of the Pro Vice-Chancellors, to be appointed by the Vice-Chancellor by Writing under his Hand delivered to the Clerk to the Local Board, and during the Absence of the Mayor the Deputy Mayor of the City, shall act in the Place of and shall accordingly represent the Recorder, or, as the Case shall be, the Vice-Chancellor or the Mayor.

Notice to the Oxford Local Board by Appellants against the Rates, and Reference of the Appeal to Assessment Committee.

16. When any Person liable to be rated to the General District Rate levied by the Oxford Local Board is dissatisfied with the Amount at which he or any other Person is assessed, he may give to the Local Board Notice in that Behalf, and the Matter shall be referred by the Board to the Assessment Committee, and shall be heard and considered by them, and the Objector and his Agent, if any, shall be entitled to appear and be heard before the Assessment Committee:

Appeal against the Assessment Committee's Decision.

(*a.*) If within Twenty-one Days next after the Delivery of the Notice to the Local Board the Assessment Committee do not alter the Assessment so as to remove the Objector's Ground of Complaint, he may give to the Local Board and also to the Court of Appeal Notice of his Intention to appeal against the Decision of the Assessment Committee:

(*b.*) At a Time and Place appointed by the Court of Appeal, which, if not the Time for holding the Quarter Sessions for the City, shall be not less than Fourteen Days after the Delivery of that Notice, the Court shall meet and hear the Appeal, giving to the Local Board and the Appellant at least Seven clear Days Notice of the Time and Place of Meeting:

Notices how to be given.

(*c.*) The Notices shall be in Writing, and the First Notice to the Local Board shall state the Objections and the Grounds thereof, and the Second Notice to the Local Board, and the Notice to the Court of Appeal, shall state such of the Objections as are not removed and the Grounds thereof, and shall not state any Objection or Ground of Objection which was not stated in the First Notice:

Notices how to be served.

(*d.*) The Notices shall be served on the Local Board and the Court of Appeal respectively by being delivered for them respectively to the Clerk to the Local Board, and the Notices to the Appellant shall be served on him personally, or by leaving the same at his Place of Abode or Business.

Proceedings of Court of Appeal.

17. The Court of Appeal may and shall hear and consider the Appeal, and, as they think fit, may either confirm or quash or alter the Decision of the Assessment Committee, and may determine the Costs of the Appeal, and by whom the same shall be paid, and may make such Orders in the Premises as they think fit; and every Order so made by them shall be binding on all Parties interested, and, where requisite, the Assessment shall be altered accordingly.

As to the Time of holding the Court of Appeal and conducting Proceedings.

18. The Court of Appeal shall meet at the Times for holding the Quarter Sessions for the City of Oxford, or at such other Times and at such Places, and on such Notice, and shall conduct their Proceedings in such Manner, as they think best adapted for carrying into effect these Provisions, and shall have full Jurisdiction, Power, and Authority for the Purposes of their Appointment as if they were a Court of Quarter Sessions.

Expenses of Assessment Committee and of Court of Appeal.

19. The Expenses of the Assessment Committee and of the Court of Appeal shall be paid by the Oxford Local Board, and the Clerk to the said Local Board shall be the Clerk to the Court of Appeal.

Who to be rated to the General District Rates of the Oxford Local Board.

20. With respect to the General District Rate from Time to Time made and levied by the Oxford Local Board:

(*a.*) All rateable Property belonging to the Chancellor, Masters, and Scholars of the University shall be rated in the Name of the Vice-Chancellor of the University:

(*b.*) All rateable Property belonging to the Mayor, Aldermen, and Citizens of Oxford shall be rated in the Name of the Mayor of the City:

(*c.*) All rateable Property belonging to the Dean and Chapter of Christ Church and to the other Colleges and the Halls in the University shall respectively be rated in the Names of the Treasurer of Christ Church, and of the Senior Bursar or Treasurer of the several other Colleges, and of the Principals of the several Halls respectively:

(*d.*) All rateable Property belonging to Feoffees or Trustees of Charities or Public Buildings shall respectively be rated in the Names of the Feoffees and Trustees respectively.

Rates on the University and Colleges and Halls of Oxford to be collected and paid by the Vice-Chancellor.

21. The General District Rate from Time to Time made by the Oxford Local Board, and payable by the University and Christ Church and the other Colleges and the Halls respectively, shall be collected and paid to the Local Board by the Vice-Chancellor; provided that this Arrangement may at any Time be determined by Notice in Writing in that Behalf given by the Vice-Chancellor to the Local Board, or by the Local Board to the Vice-Chancellor, and

Power to determine that Arrangement.

and if Notice be so given, and be not withdrawn within Twelve Months after the Service thereof, then from and after the Expiration of that Period the General District Rate payable by the University and Christ Church, and the several other Colleges and the Halls respectively, shall be collected by the Local Board.

The Public Library in the City of Oxford vested in the Local Board.

22. From and after the Expiration of *Three Month*s next after the passing of this Act the Custody, Care, and Management of the Public Library in the City of Oxford shall be vested in the Local Board, in accordance with the Provisions in that Behalf of the Acts from Time to Time in force with respect to Public Libraries managed by Local Boards for the Purpose of their Districts; and all the Expenses of and incident to the Custody, Care, and Management thereof, and the adding to and maintaining of the same, shall from Time to Time be paid by the Local Board out of Monies raised by the General District Rate as if "The Public Libraries Act, 1855," had been duly adopted for the whole of the Oxford District as from Time to Time constituted, and the Public Library had been established thereunder; and if after discharging all Debts and Liabilities, if any, relating thereto, there be any Balance of the Monies, before the Expiration of the Three Months, assessed for the Purposes thereof, the Balance shall be paid to the Local Board, and be carried to their General District Fund; provided that the Amount expended by the Local Board in any One Year for the Purposes of the Public Library shall not exceed the Amount which might be raised by them by a Rate for the Purpose made under that Act.

Limit of the Amount to be raised for the Public Library.

Act incorporated with 21 & 22 Vict. c. 98.

23. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

24. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1865 (No. 5)."

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. Nottingham.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board, otherwise than by Agreement, for Street Improvements.

2. Rusholme.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Street Improvements.

3. Plymouth.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Street Improvements.

4. Redcar.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Street Improvements.

5. Cardiff.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board of Health, for the Purchase and taking of Lands otherwise than by Agreement, for Street Improvements

6. Kingston-upon-Hull.—Altering the Kingston-upon-Hull Improvement Act, 1854, in force within the Borough.

7. Guildford.—Repealing a Local Act in force within the District of the Local Board.

8. Ramsgate.—Alteration of Ramsgate Improvement Act, 1838.

9. Ryde.—Extending the Borrowing Powers of the Ryde Commissioners acting as Local Board within the District.

10. Workington.—Extending the Borrowing Powers of the Workington Local Board.

11. Oxford.—Repealing and altering Parts of Local Acts in force within the District of the Oxford Local Board.

12. Hincksey (Oxford District).—Altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

13. Cowley (Oxford District).—Altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

NOTTINGHAM.

Provisional Order, putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board for the Borough of Nottingham, for the Purchase and taking of Lands by the said Board, otherwise than by Agreement.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Local Board in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, buildings, and premises, for the purpose of enabling them to widen, alter, and improve certain streets or roads within such Borough.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings and premises intended to be taken by such Local Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid lands, buildings, and premises who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, buildings, and premises, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

The Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Local Board for the said Borough, shall be empowered to put in force, with reference to the messuages or tenements, buildings, lands, hereditaments, and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this First day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

The

The SCHEDULE referred to in the foregoing Order.

The LANDS, HOUSES, BUILDINGS, HEREDITAMENTS, and PREMISES proposed to be taken for the purposes set forth in the preceding ORDER, and which are situate in the Borough of NOTTINGHAM, are the following, the Figures in the Second Column referring to those on the Plan of the said HEREDITAMENTS and PREMISES deposited at the Office of the Surveyor of the said Local Board, St. Peter's Church Side, Nottingham, in the month of November 1864, and mentioned in the Petition of the aforesaid Local Board herein-before referred to.

Messuages, Buildings, Lands, Hereditaments, and Premises proposed to be taken.	No. on the said Plan.	Owners or reputed Owners.	Occupiers.
House, Shop, Stable, Coach-house, Outbuildings, Yard, and Premises in or near the Long Row and Sheep Lane.	1 and 5	Mary Ann Page -	Jonathan Page, (Lessee and Occupier).
A Share in and Rights of Way and other Rights in and over Common Yards, Passages, and Premises in and near the Long Row and Sheep Lane.	71, 72, 72, 72 *a*, 72 *b*, and 5 *a*.	The same - -	The same.
Houses and Premises in or near Talbot Yard and Sheep Lane.	25, 26, 27, and 28.	John Cragg, Mary Ann Cragg, Elizabeth Milnes, and William Adams Dams Nunn.	Joseph Disney, William Smith, Henry Clarke, and John Shelton.
Houses and Premises in or near Sheep Lane.	73 and 74	William Stanford Burnside.	The Pleasley Mill Company (Lessees), Thomas Griffitt and Ellen Holmes (Occupiers).
Houses and Premises near Sheep Lane.	79, 80, and 81.	John Swann - -	James Barker and Elizabeth Whitehead.
Common Passage and Premises near Sheep Lane.	82 and 82	The same - -	James Barker, Elizabeth Whitehead, Sarah Newman, Ransom Holland, William Booth, William Stevenson, Hannah Haywood, Thomas Holmes, George Deudney, Robert Clarke, and John Harris.
House, Shop, Warehouse, Outbuildings, and Premises in and near the Long Row and Sheep Lane.	110, 93, and 99.	Henry Ashwell and John Scott Wells.	George Spybey.
A Share in or certain Rights of Way and other Rights in and over Common Yards, Passages, and Premises in and near the Long Row and Sheep Lane.	109, 89, 95, 102, 112, and 113.	The same - -	The same.
Tenement or Warehouse and Premises near Long Row and Sheep Lane.	88	Richard Bush Newton	Robert Dickinson and Edward Dickinson, (Lessees and Occupiers).

RUSHOLME.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Rusholme in the County of Lancaster, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Works of Street Improvement.*

Whereas the Local Board of Health for the District of Rusholme, in the County of Lancaster, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of Street Improvement as described therein.

AND WHEREAS the said Petition and the Schedule appended thereto duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Rawlinson, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Rusholme in the County of Lancaster aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred, to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Third day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHE-

SCHEDULES referred to in the preceding Order.

LANDS and BUILDINGS, containing 385 Square Yards and 7 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving the Turnpike Road leading from Manchester to Stockport.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		As to the 385 *Yards.*		
1	Part of Pasture Field	The Reverend George Henry Greville Anson, Rector of St. James, Birch, Rusholme.	- - -	Elizabeth Hardy, Spinster, Longsight.
2	Front Garden and Approach to back Yard.	Sir John William Hamilton Anson, Bart., Portland Place, London.	Robert George Stracy, Tatton Grove, Withington.	James Kelly, 1, St. John's Place, Longsight.
3	Boot and Shoemaker's shop.	Sir J. W. H. Anson, Bart.	Robert George Stracy	James Kelly, 1, St. John's Place, Longsight.
4	Front Garden -	Sir J. W. H. Anson, Bart.	Robert George Stracy	James Kelly, 2, St. John's Place, Longsight.
5	Front Garden -	Sir J. W. H. Anson, Bart.	Robert George Stracy	Jane Batty, Widow, 2, St. John's Place, Longsight.
6	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	Fanny Seward, Spinster, 3, St. John's Place, Longsight.
7	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	George Whitmore, 4, St. John's Place, Longsight.
8	Approach to Back Yard.	Sir John William Hamilton Anson, Bart.	- - -	William Draper, St. John's Cottages, Longsight.
9	Part of Garden -	Sir John Wm. Hamilton Anson, Bart.	- - -	William Draper, St. John's Cottages, Longsight.
10	Part of Front Garden	Sir J. W. H. Anson, Bart.	- - -	Sarah Rothwell, St. John's Cottages, Longsight.
11	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	Mary Siebar, 1, St. John's Terrace, Longsight.
12	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	William Crabtree, 2, St. John's Terrace, Longsight.
13	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	William Whittenbury, 3, St. John's Terrace, Longsight.
14	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	James Worsley, 4, St. John's Terrace, Longsight.
15	Part of Front Garden	Sir J. W. H. Anson, Bart.	Robert George Stracy	Luke Poynton, Longsight.

As to the 7 Square Yards.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
16	Steps leading to Dwelling House.	Mary Bentley, Spinster, Fairfield.	- - -	Elizabeth Lownds, Longsight.
17	Steps leading to Provision Shop.	Mary Bentley, Spinster, Fairfield.	- - -	Ralph Horsfield, Longsight.
18	Steps leading to Dwelling House.	Mary Bentley, Spinster, Fairfield.	- - -	James Hopwood, Gate Keeper, Longsight.
19	Steps leading to Dwelling House.	Mary Bentley, Spinster, Fairfield.	- - -	David Chadwick, opposite Coach and Horses, Longsight.
20	Steps leading to Dwelling House.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Sarah Burrows, Widow, opposite Coach and Horses Inn, Longsight.
21	Steps leading to Dwelling House.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Thomas Farnworth near North Street, Longsight.

LAND and BUILDINGS, containing 228 Square Yards, 18 Square Yards, 47 Square Yards, 187 Square Yards, 615 Square Yards, 628 Square Yards, 330 Square Yards, and 98 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving Dickenson Road.

As to the 228 Yards.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
22	Part of Front Garden	Sir John William Hamilton Anson, Bart.	- - -	Sarah Fletcher, Widow, Longsight.
23	Part of Dwelling House, Scullery, Yard, and Approach to Yard.	Sir John William Hamilton Anson Baronet.	- - -	Sarah Fletcher, Widow, Dickinson Road, Longsight.

As to the 18 Yards.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
24	Part of Shed used as Stable.	Mary Aldrid Heaton Moor, Heaton Norris.	- - -	William Coates, Longsight.
25	Part of Dwelling House, Steps, and Cellar.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Henry Mills, Dickenson Road, Longsight. ——— Mallany, Marble Worker, late of Brook Street.
26	Waste Land open to Dickenson Road.	Mary Aldrid, Heaton Moor, Heaton Norris.	- - -	Henry Mills, Margaret Ryan, Edward Pawson, John Law, George Hardy, —— Mallany, all of Dickenson Road, Longsight.
27	Occupation road -	Mary Aldrid Spinster, Heaton Moor, Heaton Norris.	- - -	Margaret Ryan, Edward Pawson, John Law, George Hardy.
28	Part of Pasture Field	Sir John William Hamilton Anson Baronet, London.	- - -	Sarah Fletcher, Widow, Dickenson Road, Longsight.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		As to the 47 Yards.		
29	Pasture Land or Field.	——— Rhodes -	- - -	In hand.
		As to the 187 Yards.		
30	Pasture Field or Building Land.	——— Rhodes -	- - -	In hand.
31	Part of Front Garden	Samuel Chorlton, Chapel Street, Didsbury.	- - -	Reverend James Twist, Dickinson Road.
32	Part of Front Garden	Samuel Chorlton, Chapel Street, Didsbury.	- - -	Unoccupied.
		As to the 330 Yards.		
33	Part of Pasture Field	Sir John William Hamilton Anson, Bart.	Robert Greg -	Robert Greg, Birch Cottage, Dickenson Road.
34	Part of Garden and Approach to Dwelling House called Birch Cottage.	Sir John William Hamilton Anson, Bart.	Robert Greg -	Robert Greg, Birch Cottage, Dickenson Road.
35	Part of Front Garden	Charles Dove -	Sarah Ann Heap (Mortgagee).	Elizabeth Lambert (Widow), 4 St. James' View, Dickinson Road.
36	Part of Front Garden	Charles Dove -	Sarah Ann Heap (Mortgagee).	James Paley, 3 St. James' View, Dickinson Road.
37	Part of Front Garden	Charles Dove -	Sarah Ann Heap (Mortgagee).	David Noar, 2 St. James' View, Dickenson Road.
38	Part of Front Garden and Approach to Dwelling House.	Charles Dove -	Sarah Ann Heap (Mortgagee).	John Railton, 1 St. James' View, Dickenson Road.
		As to the 615 Yards.		
39	Part of Pasture Field	Trustees of the late Charles Carill Worsley, viz. Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	Amos Smathers, Uncle Tom's Cabin, Monmouth Street, Rusholme.
40	Cow Sheds and Approach.	Trustees of the late Charles Carill Worsley, viz. Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Ann Sharples, sublet to William Tomkins, 7 Dickenson Road.
41	Part of Pasture Field and Footpath.	Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	Ann Sharples, Sublet to William Tomkins, 7, Dickenson Road.
42	Stone Yard and Workrooms.	Rusholme Local Board of Health.	- - -	Rusholme Local Board of Health.
43	Part of Front Garden	John Vint, Leeds -	- - -	Alice Thomasson, Widow, 6, Pelham Place, Dickenson Road.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		As to the 98 *Yards.*		
44	Part of Front Garden	John Vint, Leeds -	- - -	Thomas Rathbone, 5, Pelham Place, Dickenson Road.
45	Part of Front Garden	John Vint, Leeds -	- - -	James Richardson, 4, Pelham Place, Dickenson Road.
46	Part of Front Garden	John Vint, Leeds -	- - -	Elizabeth Tinker (Widow), 3, Pelham Place.
47	Part of Front Garden	John Vint, Leeds -	- - -	James Udall, 2, Pelham Place, Dickenson Road.
48	Part of Front Garden	John Vint, Leeds -	- - -	Sarah Skippers, 1, Pelham Place, Dickenson Road.
49	Building Land open to Dickenson Road.	Samuel Potter Cheetham Hill, 25 Walmer Street.	- - -	George Wynne, 33 Rusholme Grove.
		As to the 628 *Yards.*		
50	Building Land open to Dickenson Road.	Rusholme Local Board of Health.	- - -	Rusholme Local Board of Health.
51	Part of Pasture Field	The Trustees of Mrs. Cunliffe, viz. Frank Hampson, Solicitor, Sharston, Mount, Northenden, and John Cunliffe, Blackburn.	- - -	John Edward Taylor, Platt Cottage, Rusholme.
52	Part of Pasture Field	The Trustees of Mrs. Cunliffe, viz. Frank Hampson, Solicitor, Sharston Mount, Northenden, and John Cunliffe, Blackburn.	- - -	John Edward Taylor, Platt Cottage, Rusholme.
53	Part of Dwelling House.	William Bowden, Slate Merchant, 2 Stockport Road, Ardwick.	- - -	Mary Sharples (Widow), 15, Dickenson Road, Rusholme.
54	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Francis Thomas, 13, Dickinson Road, Rusholme.
55	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Thomas Shepherd, 11, Dickenson Road, Rusholme.
56	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Kellam, 9, Dickenson Road, Rusholme.
57	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Tomkins, 7, Dickenson Road, Rusholme.
58	Part of Dwelling House.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	Thomas Mottram, 5, Dickenson Road, Rusholme.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
59	Provision Shop and Bakehouse.	Ann Corns, Oak House, Sale Moor.	- - -	Joseph Axon, 3, Dickenson Road, Rusholme.
60	Common Yard -	Ann Corns, Oak House, Sale Moor.	- - -	Joseph Axon. George Hindley, Dickenson Court.
61	Part of Dwelling House, Yard, and Scullery.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Clarke, Builder, 1, Dickenson Road, Rusholme.
62	Joiner's and Builder's Shop.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	- - -	William Clarke, Builder, 1, Dickenson Road, Rusholme.
63	Stables, Coach House, and Passage, leading to Public House called Birch Villa Hotel.	William Bowden, Slate Merchant, 2, Stockport Road, Ardwick.	William Roberts, Greenhey's Brewery (14 years from March 1864).	William Saynor, Birch Villa Hotel, Rusholme.

Land and Buildings, containing 124 Square Yards, 110 Square Yards, 20 Square Yards, 794 Square Yards, and 80 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving the Highway from Manchester to Wilmslow.

As to the 124 *Yards.*

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
64	Part of Shrubbery and Carriage Drive.	The Trustees of Sophia Jane Ferguson; Thomas Holford, Acting Trustee.	- - -	Thomas Cooke, Rusholme Hall. Sophia Allecock, Rusholme Place.
65	Part of Shrubbery and Approach to Dwelling House.	The Trustees of Sophia Jane Ferguson; Thomas Holford, Acting Trustee.	- - -	Elizabeth Ann Price, Spinster, Rusholme Place.

As to the 110 *Yards.*

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
66	Butcher's Shop -	Charles Butler, Butcher, Rusholme.	- -	Charles Butler, Butcher, Rusholme.
67	Milliner's Shop -	Charles Butler, Butcher, Rusholme.	- - -	Rebecca Toon, Spinster, Butler's Buildings, Rusholme.
68	Boot and Shoemaker's Shop.	Charles Butler, Butcher, Rusholme.	- - -	William Renshaw, opposite Marlborough Terrace, Rusholme.
69	Grocer and Provision Shop.	Charles Butler, Butcher, Rusholme.	- - -	William Renshaw, opposite Marlborough Terrace, Rusholme.
70	Smallware and Tobacconist Shop.	Charles Butler, Butcher, Rusholme.	- - -	Ann Chadwick, Widow, opposite Marlborough Terrace, Rusholme.

As to the 80 *Yards.*

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
75	Approach to Farm Buildings, Land, and Part of Front Garden.	Trustees of late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- - -	Richard Broome, Farmer, Fallowfield.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or repnted Owners.	Lessees or reputed Lessees.	Occupiers.
76	Part of Garden -	Trustees of late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darly Abbey.	- -	John Henry Monk, Ivy Cottage, Fallowfield.
		As to the 794 Yards.		
77	Part of Coppice -	Elizabeth Jane Lucas, Fallowfield Brow.	- - -	Nicholas Earle, Mabfield House, Fallowfield.
78	Part of Pasture Field	Elizabeth Jane Lucas, Fallowfield Brow.	- - -	Nicholas Earle, Mabfield House, Fallowfield.
79	Plantation - -	Elizabeth Jane Lucas, Fallowfield Brow.	- - -	Nicholas Earle, Mabfield House, Fallowfield.
80	Part of Pasture Field	The Hon. Algernon Egerton.	- - -	Samuel Brundred, Farmer, Fallowfield.
80a	Highway - -	Mary Jane Carill Worsley & Henry Evans of Darly Abbey, Trustees of the late Charles Carill Worsley.	- - -	Samuel Brundrett, Farmer, Fallowfield. Daniel Douglas, 205, Warde Street, Hulme.
81	Dwelling House and Steps.	Isaac Thorniley, Crown Inn, Fountain Street, Manchester.	- - -	Samuel Roberts, Labourer, Fallowfield.
82	Dwelling House and Steps.	Isaac Thorniley, Crown Inn, Fountain Street, Manchester.	- - -	William Vickers, Warehouseman, Fallowfield.
83	Dwelling House and Steps.	Isaac Thorniley, Crown Inn, Fountain Street, Manchester.	- - -	Ruth Hamblet, Widow, Fallowfield.
84	Part of Steps and Footpath.	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	William Hague, Gardener, Fallowfield.
85	Footpath - -	Isaac Thornley, Crown Inn, Fountain Street, Manchester.	- - -	John Jones, Plumber, Post Office Place, Rusholme.
		As to the 20 Yards.		
86	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Charles Hardesty, Labourer, Fallowfield.
87	Part of Front Garden and Pump.	Trustees of the late C. Carill Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	John Longshaw, Labourer, Fallowfield.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
88	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	James Bradshaw, Labourer, Fallowfield.
89	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	John Meller, 7, Fallowfield, opposite Post Office.
90	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Joseph Hill, Carter, Fallowfield.
91	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Thomas Grimshaw, Labourer, Fallowfield.
92	Footpath and Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	Phœbe Ashton, Widow, Fallowfield. Samuel Vernon, Gardener, Fallowfield.
93	Part of Front Garden	Trustees of the late C. C. Worsley, Mary Jane Carill Worsley and Henry Evans, Darley Abbey.	- - -	John Hague, Gardener, Fallowfield.

LAND and BUILDINGS, containing 1,458 Square Yards, intended to be taken for widening, opening, enlarging, or otherwise improving Monmouth Street.

94	Ironmonger's Shop -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme.
95	Pawnbroker's Shop -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead and Martha his daughter, Pawnbrokers, Rusholme.
96	Yard leading to Smith's Shop.	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme.
97	Smith's Shop - -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme.
98	Common Yard -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Thomas Whitehead, Ironmonger, Rusholme. Ellis Crompton, Greengrocer, Rusholme.
99	Timber Yard - -	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	James Tipping, Joiner and Builder, Monmouth Street, Rusholme.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
100	Common Yard, Pump, and Mortar Store.	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	Abraham Woodhead, Brick Setter, Monmouth Street. George Bonsall, Packer, Monmouth Street.
101	Dwelling House	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	George Bonsall, Packer, Monmouth Street.
102	Yard or Passage	Ralph Bailey, 8, Wellington Place, Bowdon Downs.	- - -	George Cooper, Warehouseman, Monmouth Street. James Isherwood, Monmouth Street.
103	Dwelling House	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	George Booth, Cab Driver, Monmouth Street.
104	Dwelling House	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	John Rippingham, Mechanical Chimney Sweeper, Monmouth Street.
105	Shed used as Boot and Shoemaker's Shop, and part of Garden.	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Charles Wood, Boot and Shoemaker, Monmouth Street.
106	Building Land open to Monmouth Street.	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	In hand.
107	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	George Barton, Monmouth Street.
108	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Eliza Bolsover (Widow), Monmouth Street.
109	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	James Ward, Monmouth Street.
110	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Lucy North (Widow), Monmouth Street. Mary Marsland, Monmouth Street.
111	Part of Front Garden	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Catherine Kelly (Widow), Monmouth Street.
112	Building Land open to Monmouth Street.	Executor of the late Anne Tuer; Rev. John Jones Dickson, Hindley, near Wigan.	- - -	In hand.

No. on Plan.	Land and Buildings proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
113	Part of Front Garden	Executor of the late Thomas Anderson ; Thomas Mee.	- - -	Thomas Alcock, Green Grocer, Monmouth Street.
114	Part of Front Garden	Executor of the late Thomas Anderson ; Thomas Mee.	- - -	John Phythian, Smith, Monmouth Street.
115	Part of Front Garden	Executor of the late Thomas Anderson ; Thomas Mee.	- - -	Joseph Fieldsend, Boot and Shoemaker, Monmouth Street.
116	Part of Front Garden	Executor of the late Thomas Anderson ; Thomas Mee.	- - -	Wright Antrobus, Monmouth Street.
117	Part of Front Garden	Executor of the late Thomas Anderson.	- - -	James Chesworth.
118	Pasture Field - -	Rev. John Jones Dickson, Hindley, near Wigan.	Julius Knoop, Regent House, Rusholme. Term	Julius Knoop, Regent House, Rusholme.
119	Pasture Field - -	Rev. John Jones Dickson, Hindley, near Wigan.	Julius Knoop, Regent House, Rusholme.	Julius Knoop, Regent House, Rusholme.
120	Garden - -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee for a Term of 10 Years ; 8½ Years to run.	John Bier, The Grange, Rusholme.
121	Hen Pen - -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, for a Term of 10 Years ; 8½ Years to run.	John Bier, The Grange, Rusholme.
122	Shed or Stores -	Rev. John Jones Dickson, Hindley, near Wigan.	- - -	Abraham Woodhead, Brick Setter, Monmouth Street.
123	Coach House and Stables.	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years ; 8½ Years to run.	John Bier, The Grange, Rusholme.
124	Privy and Ashpit -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years ; 8½ Years to run.	John Bier, The Grange, Rusholme.
125	Tool House or Stores	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years ; 8½ Years to run.	John Bier, The Grange, Rusholme.
126	Part of Dwelling House and Yard.	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, Term 10 Years ; 8½ to run.	John Bier, The Grange, Rusholme.
127	Garden and Wall -	Rev. John Jones Dickson, Hindley, near Wigan.	John Bier, Lessee, 10 Years Lease ; 8½ to run.	John Bier, The Grange, Rusholme.

PLYMOUTH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Plymouth in the County of Devon, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Purposes of Street Improvement.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Plymouth in the County of Devon, acting as the Local Board of Health for that District, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings to enable them to carry out works of street improvement within their District.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Plymouth aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this First day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order, and shown upon the Plan accompanying the Local Board's Petition, are the following:

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
1	Dwelling House, Shop, Workshops, and Courtlage, No. 1, Westwell Street.	William Curtis, Trustee.	- - - -	William Parks Ivey, John Holloway, junior.
2	Dwelling House, Garden, and Path, No. 2, Westwell Street.	William Curtis, Trustee.	- - - -	Mary Elliott.
3	Dwelling House, Yard, Outhouses, Garden, and Path, known as "Westwell House" in Westwell Street.	William Curtis, Trustee.	- - - -	George Hamlyn, Henry Symons, John Shepheard.
4	Dwelling House, Tenements, Outhouses, Yards, and Offices, No. 6, Basket Street.	Robert Mather Watson, Trustee.	- - - -	Samuel Harris.
5	Dwelling House, Yards, Courtlages, and Offices, No. 7, Basket Street.	William Grendon Heathman.	- - - -	Samuel Cawse Parkhouse, Jane Gover.
6	Dwelling House, Yards, Workshops, and Outhouses, No. 9, Basket Street.	Sarah Lane -	George Marks -	John Reed, John Symons, James Dunbar, William Hambly, Jane Nicholls, and Elizabeth Morland.
7	Dwelling House, Shop, Courtlage, and Offices in Bedford Street.	Henry Matthews -	- - - -	Henry Matthews.
8	Ditto - -	Henry Matthews -	Thomas Smale -	Thomas Smale.
9	Dwelling Houses, Shops, Outhouses, and Courtlage known as the "Island House" in Bedford Street.	Ralph Cole -	Joseph Allen, George Creed.	Joseph Allen, Charles Pascoe, and Thomas Reeves.
10	The Coach Office, Inn, Public House, Courtlage, and Offices, No. 3, Briton Side.	William Palmer -	- - - -	Elisha Horswell.
11	Dwelling House, Shop, Outhouse, and Courtlage, No. 4, Briton Side.	Paul William Swain, Trustee.	- - - -	Jane Readin.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
12	Dwelling House, Shop, Bakehouse, Courtlage, Outhouses, and Passage, No. 5, Briton Side.	Paul William Swain, Trustee.	- - - -	Samuel Farley.
13	Dwelling House, Shop, Courtlage Offices, and Passage No. 6, Briton Side.	Paul William Swain, Trustee.	Joseph Joseph -	Joseph Joseph, the Free Congregational Church, and John Gay.
14	Dwelling House, Shop, Passage, Courtlage, and Outhouses, No. 7, Briton Side.	Paul William Swain, Trustee.	- - - -	Stephen Augustine Delor, Joseph Paige.
15	Dwelling House, Shop, Courtlage, and Outhouses, No. 8, Briton Side.	Paul William Swain, Trustee.	Simon Philp -	Simon Philp.
16	Two Dwelling Houses, Shops, Bakehouse, Courtlages, and Outhouses, No. 9, Briton Side.	Jane Skardon -	- - - -	Edwin Henry Debnam, John Edward Hingston.
17	Dwelling Houses, Outhouses, Courtlage, and Yard, Nos. 3, 4, and 4½, Tin Street.	The Devisees of the Will of William Hellyer, deceased.	- - - -	James Lee.
18	Dwelling House, Shop, Outhouses, and Courtlage, No. 5, Tin Street.	Edward Smith -	- - - -	Edward Smith, junior.
19	"The Woodside Inn" Public House, Tenement, Courtlage, and Offices in Gasking Street, at the Corner of Gascoyne Place.	Edward Smith -	James Rew - -	William Henry Rundle.
20	Front Bar Portion of "The Swan of Avon" Inn, George Street.	William Furze -	John Robert Lugg -	John Robert Lugg.
21	Dwelling House, Shop, Passage, Outhouses, and Courtlage, No. 20, Old Town Street.	Roger Bishop -	- - - -	Richard Colwill.
22	Dwelling House, Shop, Outhouses, Passage, and Courtlage, No. 21, Old Town Street.	Paul William Swain, Trustee.	- - - -	John Cross.
23	Dwelling House, Shop, Loft, Passage, Outhouses, and Courtlage, No. 22, Old Town Street.	Paul William Swain, Trustee.	John Yabsley -	Henry May, Richard Tremeer, William Gibbons, Alice Sarah Izdebski.
24	Dwelling House, Shop, Lofts, Workshops, Outhouses, and Courtlage, No. 23, Old Town Street.	Rebecca Langmead	John Dyer - -	John Dyer.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
25	"The Cornish Inn" Public House, Yards, Stables, Outhouses, Courtlage, and Offices, No. 24, Old Town Street.	Sarah Butters and William Curtis, Trustees.	- - - -	John Gribble.
26	Dwelling House, Shop, and Courtlage, No. 25, Old Town Street.	Sarah Butters and William Curtis, Trustees.	- - - -	Herbert Morris.
27	Dwelling House, Smithy, Outhouses, Courtlage, and Offices, No. 26, Old Town Street.	Abraham Cole, Trustee, William Ball.	- - - -	William Ball.
28	Dwelling House, Shop, Store, Passage, Outhouses, and Courtlage, No. 27, Old Town Street.	Abraham Cole, Trustee.	James Armstrong, William Armstrong, and Samuel Walter Rowse.	John Windeatt, James Armstrong, William Armstrong, and Samuel Walter Rowse.
29	Dwelling House, Three Shops, Passage, Courtlage, and Outbuildings, No. 1, Russell Street.	John Hicks -	- - - -	Joseph Hundrey, Richard Bennett.
30	Dwelling House, Shop, Courtlage, and Outbuildings, No. 42, Frankfort Street.	John Hall Parlby -	William Brooks Bartlett.	William Brooks Bartlett.
31	Dwelling House, Shop, Courtlage, and Outbuildings, No. 43, Frankfort Street.	Samuel Foster -	Elizabeth Cook William Cook.	Elizabeth Cook, William Cook.
32	The "Queen's Head" Beershop, Courtlage, and Outbuildings, No. 45, Frankfort Street.	George Ryall -	- - - -	Thomas Charlick.
33	Dwelling House, Two Shops, and Courtlage, No. 46, Frankfort Street.	John Hicks -	- - - -	John Woolland.
34	The "First of August" Beershop, Tenement, Garden, Outhouses, and Courtlage, No. 20, King Street.	Elizabeth Roberts -	Edmund Every, Anthony Luke.	William Kennedy, Frederick Roberts.
35	Dwelling House, Shop, Tenement, Outhouses, and Courtlage, No. 21, King Street.	Devisees of the Will of William Smale.	- - - -	Humphrey Badge.
36	Portion of Garden in front of No. 24, Clarendon Place.	John Bayly, James May.	- - - -	Jemima Dabb.
37	Dwelling House, and Shop, No. 16, Whimple Street, at the corner of Old Town Street.	Anthony Harvie -	John Masters -	John Masters.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
38	Dwelling House, Garden, Outhouses, and Courtlage, in Tothill Lane.	William Waller	- - - -	William Waller, Richard King, Joseph Collier.
39	Dwelling House, Shop, Outhouses, and Courtlage, No. 4, Bilbury Street, corner of Charles Street.	John Norrish	Mary Oliver	Mary Oliver.
40	Dwelling House, No. 1, Charles Street.	Elizabeth Hockins	- - - -	Mary Ellis.
41	Dwelling House, No. 2, Charles Street.	Elizabeth Hockins	- - - -	Roger Whitell.
42	Dwelling House and offices, No. 3, Charles Street.	Elizabeth Hockins	- - - -	William Doble.
43	Dwelling House, No. 4, Charles Street.	Elizabeth Hockins	- - - -	Jacob Chiltown.
44	Workshop and Stable, No. 5, Charles Street.	Samuel Head	- - - -	John Head, John Head the younger, and Samuel Head.
45	Dwelling House, No. 6, Charles Street.	John Roach	- - - -	William Floyd.
46	Dwelling House, Shop, Workshop, Stores, Passage, Outhouse, and Courtlage, No. 11, Woolster Street.	James Holmes Boyle, Ellen Crowley, Harry Lyne Boyle, Robert Boyle.	- - - -	William Martin, Thomas Putt, William Symons, William Clift, Henry Bennett, James Wheeler, James Rew, Edward Cridland, Thomas Harvie, Thomas Yeo, Arthur Wilson, Thomas Owld, Henry Putt, and James Stephens.
47	Dwelling House, Shop, and Outhouse, No. 14, Woolster Street.	Henry Putt	- - - -	Henry Putt.
48	Stable and Stores, No. 13, Southside Street.	Sarah Stanbury	- - - -	Henry Callard.
49	Coal and Hemp Stores, No. 14, Southside Street.	Sarah Stanbury	- - - -	Thomas Pollard, George Rowe.
50	Dwelling House, Gardens, Outhouses, and Courtlage, No. 7, Nottingham Place.	Henry Terrell, Thomas Willcocks Popham, and William Marshall, (Trustees).	- - - -	Unoccupied.
51	Dwelling House, Two Shops, Courtlage, and Outbuildings, No. 29, Notte Street.	Francis Gloyne	Samuel Southcott	Francis Gloyne, Samuel Southcott.
52	Dwelling House, Shop, Bakehouse, Stores, Outhouses, and Courtlage, No. 32, Notte Street.	Elias Ralph May Watts, Henry Rutland Strathon, and John Greenwood (Trustees).	William Hardy	Unoccupied.

No. on Plan.	Description of Property proposed to be taken.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Occupiers.
53	Dwelling House, Outhouses, and Courtlage, No. 14, St. Andrew Street.	Joseph Clements Matthews (Trustee).	- - - -	William Maunder, Thomas Prince, David Davis, William Mills.
54	Dwelling House, Tenements, Garden, Outhouses, and Courtlage, No. 15, St. Andrew Street.	Joseph Clements Matthews (Trustee).	- - - -	William Barnes, James Godfrey, John Dawe, John Woollacott, and John Foster.
55	Dwelling House, Shop, Bakehouse, Outhouses, and Courtlage, No. 16, St. Andrew Street.	Joseph Clements Matthews (Trustee).	- - - -	David Henry Granger, John Curtis, Richard Able, George Nicholls, Thomas Rowe, and Margaret Curtis.
56	Wall dividing Providence Street from Clifton Place.	Thomas Harvey -	- - - -	Thomas Harvey.
57	Garden and Passage in front of Dwelling House, No. 5, Summerland Place.	Caroline Brown (Trustee).	- - - -	Caroline Brown.
58	Garden and Passage in front of Dwelling House, No. 11, Summerland Place.	Augustus Ellis, Thomas Ellis, and Isaiah Waterloo Nicholson Keys (Trustees).	- - - -	William Trevena.
59	Shop and Passage in front of Dwelling House, No. 72, Cobourg Street.	William Henry Fey (Trustee).	- - - -	Emanuel Hurrell, Alexander McLachlan.
60	Dwelling House, Outhouses, and Courtlage, No. 8, Tavistock Road.	The Legatees under the Will of Thomas Trader, deceased.	- - - -	Richard Cleverton Smith and George Hicks.
61	Courtlage, Coal Cellars, and Outhouses, at the back of No. 10, Tavistock Place.	Peter Perlee Parker	- - - -	Peter Perlee Parker.
62	Courtlage, Garden, and Outhouses at the back of No. 11, Tavistock Place.	Parry Mitchell -	- - - -	Parry Mitchell.
63	Dwelling House, Shop, and Stores, No. 12, Tavistock Road.	Louisa Cooban -	- - - -	George Coker.
64	Dwelling House, Shop, Courtlage, and Outbuildings, No. 28, Tavistock Street.	John White McKinlay Millman, and Alfred McKinlay Millman.	- - - -	Samuel Brooking Knight.

REDCAR.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Redcar in the County of York, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.

Whereas the Local Board of Health for the District of Redcar, in the County of York, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase a certain piece of land for works of street improvement within their District.

And whereas the said Petition duly set forth the land intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Redcar aforesaid shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred, to and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Seventh day of April, in the year one thousand eight hundred and sixty-five.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The PIECE of LAND proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, is the following:

No. on Plan.	Description of Property proposed to be taken.	Names of Owners, Lessees, and Occupiers.
1	A piece of land containing twenty-seven square yards or thereabouts, situate near King Street, and in or about the middle of High Street, in the District of Redcar aforesaid, delineated on the plan deposited at the office of the said Local Board of Health, and coloured red.	Ann Blatherwick, William Blatherwick, Thomas Blatherwick, Elizabeth Blatherwick, and Thomas Hall.

CARDIFF.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Cardiff in the County of Glamorgan, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Cardiff in the County of Glamorgan, by the Council of such Borough, acting as the Local Board of Health for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement.

AND WHEREAS the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed Robert

Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

Now, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this order—

The said Local Board of Health for the District of Cardiff aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the petition herein-before referred to and shown upon the plan accompanying such petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of Lands otherwise than by agreement.

Given under my hand this Sixteenth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

SCHEDULE of LANDS and PREMISES proposed to be taken by the Cardiff Local Board of Health for improving SAINT JOHN STREET, NORTH STREET, and MILL LANE, within the Borough of Cardiff.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Saint John Street.			
1	House and Shop	Thomas Dalton, Rev. William Powell, and John Harley, as Trustees under the Will of Charles Crofts Williams; Charles Henry Williams.	-	Francis Bissicks.
2	House and Shop	Same parties	-	Christopher Mouls.
3	House and Shop	Richard Mayze	Sarah Davis	William Morgan.
4	House and Shop	Edward Thomas	-	James Good.
5	A Shop and Office and Showroom over.	William James Jacob, John R Jacob, Evan Jacob Harris.	The Cardiff Local Board of Health.	Vacant.
	North Street.			
6	Part of the Rose and Crown Inn.	John Boyle and Charles Stuart, Trustees under the Will of the Marquis of Bute.	-	John Wride.
7	Part of the Maltsters Arms Inn.	Same parties	-	Philip Williams.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Mill Lane.			
8	A Dwelling House, Worksheds, Stables, Buildings, and Yard.	The Mayor, Aldermen, and Burgesses of the Borough of Cardiff.	Thomas Dalton, Rev. William Powell, and John Harley, Executors of the Will of Charles Crofts Williams; Charles Henry Williams; William Williams, Mrs. Ann Powell, Henry Powell, and Walter Powell, Executors of the Will of Thomas Powell; William Evans.	William Evans. Thomas Lemon. William Morgan.
9	Part of the Glamorganshire Canal.	The Glamorganshire Canal Navigation Company.	- - - - -	The Glamorganshire Canal Navigation Company.

KINGSTON-UPON-HULL.

Provisional Order altering the Kingston-upon-Hull Improvement Act, 1854, in force within the Borough of Kingston-upon-Hull.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Kingston-upon-Hull, in their capacity of Local Board of Health for the district of the Borough, and acting in the execution of the Kingston-upon-Hull Improvement Act, 1854, (herein-after called the Improvement Act,) have, under the provisions of the Local Government Act, 1858, duly presented a petition to me as one of Her Majesty's Principal Secretaries of State, praying for the repeal and alteration of certain of the provisions of the said Improvement Act, such said Improvement Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit. AND WHEREAS in pursuance of the Local Government Act, 1858, inquiry has been directed in the said Borough in respect of the several matters mentioned in the said Petition, and Report has been made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose. AND WHEREAS it is expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament: NOW, THEREFORE, in pursuance of the Powers vested in me by the Local Government Act, 1858, I, as one of Her Majesty's Secretaries of State, do by this Order under my hand direct—

That from and after the passing of any Act of Parliament confirming this Order, the Improvement Act shall be amended as follows, and shall take effect accordingly: that is to say,

Sections 138, 139, and 140 of the Improvement Act shall be repealed.

Given under my hand this Seventh day of April, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

GUILDFORD.

Provisional Order repealing a Local Act in force within the District of the Guildford Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Guildford in the County of Surrey, by the Council of the said Borough acting as the Local Board for the District of Guildford aforesaid, have duly presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Town of Guildford, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

> An Act passed in the Fifty-second year of the reign of King George the Third (Cap. 51.), intituled "An Act for paving, cleansing, and otherwise "improving the Town of Guildford in the County of Surrey."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District by Robert Morgan, Esquire, the Inspector appointed for such purpose, in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The said Local Act of 52 Geo. 3. cap. 51. shall be repealed, and the powers, authorities, and duties of the Paving Commissioners for the time being acting in execution of such Local Act shall cease.

2.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

3.—All debts, monies, and securities for money contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

4.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

5.—If any officer to the Commissioners acting in execution of the said Local Act shall, by reason of the repeal of the said Act, be superseded, or if he shall be removed from his office, and not be employed and retained in an office of equal value by the said Local Board, he shall be entitled to have an adequate compensation for the profits, salary, and emoluments of the said office, the said compensation to be by way of annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury, upon the report of the said Local Board, to be made within three months after any such person shall have been superseded in his office, founded upon a declaration made by such person, setting forth the salary, profits, and emoluments derived by him and his predecessors for every year during a period of five years next before the day when he shall have ceased to hold such office, and such other evidence as the said Local Board may require as to the amount, nature, and particulars of such profits; and in assessing the same regard shall be had to the manner of his appointment to such office, and his term therein; and the said Local Board shall, from time to time, pay to the person entitled to compensation out of general district rates the money which shall, upon such report, and any appeal or reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury, as the same shall become due and be payable.

Given under my hand this Fifteenth day of April One thousand eight hundred and sixty-five.

(Signed) G. Grey.

RAMSGATE.

Provisional Order for the alteration and amendment of the Ramsgate Improvement Act, 1838, *in force within the District of the Ramsgate Local Board.*

Whereas the Commissioners acting in execution of a certain Local Act of Parliament passed in the first and second years of the reign of Her present Majesty (cap. 70.), intituled "An Act for better paving, lighting, watching, "and improving the Parish of Ramsgate in the County of Kent, and for "regulating the Police thereof," have duly adopted the Local Government Act, 1858, in and for the said Parish of Ramsgate.

And whereas the said Commissioners acting as a Local Board under and for the purposes of the Local Government Act, have in pursuance of the said Act presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals, for their own pecuniary benefit, and for other purposes in such petition set forth.

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District by Robert Morgan, Esquire, the Inspector appointed for such purpose, in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act aforesaid of 1 & 2 Vict. c. 70. shall be altered and amended as follows, and shall be read and have effect accordingly:—

The following sections and parts of sections of the said Local Act shall be repealed, that is to say, sections 30, 31, 32, 33, 34, 35, 36, 37, 38, and 39, section 40 except so much of the same as relates to lighting, sections 41, 42, 44 and 45, 47, 48, 49, 50, 51, sections 63 and 64, 66 to 74, both inclusive, 81 to 86, both inclusive, and 89 to 125, both inclusive, sections 133 to 153, both inclusive, and 174 to 189, both inclusive, except so much of section 176 as provides for the application and payment of penalties to be imposed under the said Local Act: Provided nevertheless, that sections 81 to 86 inclusive shall continue in full force and unrepealed until the Local Board shall have made byelaws under the 68th section of the Towns Police Clauses Act, 1847, and such byelaws shall have come into operation, and that sections 134 to 152, both inclusive, shall continue in force and unrepealed as to all rates already made under section 133.

2.—The officers and other persons appointed by the said Commissioners under the said Local Act shall be continued, without the necessity of reappointment, and all such officers shall act, and all securities given by them shall continue in force, as if the appointment had been made and the securities given under the Public Health Act, 1848, and the Local Government Act, 1858.

3.—The 61st section of the said Local Act shall be altered by inserting therein after the word "furiously," now forming part of that section, the words "to the common danger of the passengers in any street or thoroughfare;" and by inserting therein after the word "baggage," now forming part of the same section, the words following, "or who shall draw any timber, stone, or other weighty article without the same being placed upon or suspended from a wheeled carriage proper for that purpose, or who shall cause any tree or timber to be drawn in or upon any timber carriage without having to guide and direct the hind wheels of such carriage a person who shall not be under the age of eighteen years, and who shall be of sufficient strength to guide and direct the same by means of a rope or chain attached to the steerer thereof;" and also by inserting therein after the word "neighbourhood," now forming part of the same section, the words following, that is to say, "or use any threatening, abusive, or "insulting words or behaviour with intent to provoke a breach of the "peace, or whereby a breach of the peace may be occasioned, or shall "by word of mouth, card, handbill, or otherwise pertinaciously "solicit or ply any person to use any hotel, lodging-house, eating-"house, or public-house, or booking office, or to give his custom to "any tradesman, owner of a bathing machine or shop, or to hire or "travel by any coach, omnibus, van, chaise, fly, public carriage or "railway, boat, vessel, or to hire or use any bathing-machine, horse, "mule, or ass."

4.—The 62nd section of the said Local Act shall be altered by expunging therefrom the two words "such like," now forming part of such section, immediately before the word "carriage"; and the 128th section of the said Local Act shall be altered by inserting therein after the words "Ramsgate or," now forming part of that section, the words following ("except in accordance with such regulations as the said Commissioners may from time to time prescribe in that behalf"), and also by inserting therein immediately before the word "provided," now forming part of the said section, the words following, "And in case any person shall at any time hereafter in the said Parish of Ramsgate expose anything for sale in any grounds, garden, promenade, or esplanade, unless with the consent of the owner of such grounds, garden, promenade, or esplanade, or other person authorized to give such consent, such person shall for every such offence forfeit and pay a sum not exceeding forty shillings."

5.—And whereas constables have been appointed under the 76th section of the said Local Act, and a fund has been raised for the superannuation allowances to such constables: there shall be added to the said 76th section the following proviso; viz., that all monies heretofore raised by weekly contributions out of the wages of constables appointed and sworn under the said Act, and from other sources, and now forming a fund in the nature of the Superannuation Fund, and the securities wherein the same is or may be invested, shall be and the same are hereby vested in the treasurer of the said Commissioners for the time being, and shall be transferred and paid to such treasurer accordingly, to be held by him as herein-after is mentioned.

6.—There shall be deducted from the pay of every constable belonging to the Police Force of the Parish of Ramsgate a sum after such yearly rate as the said Commissioners acting as a Local Board therein shall direct, not exceeding 2*l.* 10*s.* in the 100*l.*, which sum so deducted, and also the monies accruing from stoppages from any of the said constables during sickness, and fines imposed on any of the said constables for misconduct, and from moieties or other shares of fines and penalties awarded to informers, being police constables, on summary conviction by justices, shall be paid to the treasurer of the said Local Board, and the same, together with the monies and securities herein-before directed to be paid and transferred to such treasurer, shall be invested in such manner as the said Local Board shall direct, and the interest and dividends thereof, or so much thereof as shall not be required for the purposes herein-after mentioned, shall be invested in the like manner and accumulate so as to form a Superannuation Fund, and shall be applied from time to time for payment of such superannuation or retiring allowances or gratuities as may be ordered by the said Local Board; and the said Local Board shall guarantee the security of the said Superannuation Fund, and make good out of the rates to be levied by them any deficiency which may arise in such fund from the default of any treasurer or other person entrusted with the custody or management thereof.

7.—It shall be lawful for the said Local Board, if they shall think fit, to order that any of the constables of their District may be superannuated, and receive thereupon, out of the Superannuation Fund, a yearly allowance, subject to the following conditions and not exceeding the following proportions; that is to say, that if he shall have served with diligence and fidelity for fifteen years and less than twenty years, an annual sum not more than half pay; if for twenty years or upwards, an annual sum not more than two thirds of his pay: Provided that if he shall be under sixty years of age it shall not be lawful to grant any such allowance unless upon a certificate of a surgeon that he is incapable from infirmity of mind or body to discharge the duties of his office: Provided also, that if any constable shall be disabled from any wound or injury received in the actual execution of the duty of his office it shall be lawful to grant him any allowance not more than the whole of his pay; but nothing herein contained shall be construed to entitle any constable absolutely to any superannuation allowance, or to prevent his being dismissed without superannuation allowance.

8.—That the 61st section of the aforesaid Local Act shall be altered by adding to the nuisances therein included any person who shall sound or play upon any musical instrument or shall sing in any thoroughfare or public place; and for the purpose of protecting householders from such nuisance as aforesaid, the Act of 27 & 28 Vict. cap. 55., intituled "An Act for the better Regulation of Street Music within the Metropolitan Police District," shall be in force within the District of Ramsgate, and for this purpose the first section of the said "Street Music (Metropolis) Act, 1864," shall be read as if the words "Ramsgate District" were substituted for the words "Metropolitan Police District," and the words "any Constable acting in and for the Ramsgate District" were substituted for the words "any Constable belonging to the Metropolitan Police Force."

9.—That the 88th section of the aforesaid Local Act shall be altered by enabling the Ramsgate Commissioners, in addition to providing fire-engines, &c., as therein enacted, to purchase and maintain boats, life-buoys, apparatus, matters and things for the prevention of drowning, or for the recovery or search for the bodies of drowned persons, and the restoring to animation persons apparently drowned, and to hire or purchase, provide and maintain, all stations, rooms, sheds, and buildings necessary or convenient for such purposes, and to employ and remunerate persons in charge of such rooms, sheds, or buildings, or of such apparatus, or taking part in any of the services herein mentioned.

10.—All debts and liabilities under the said Local Act shall, so far as the monies to be received thereunder shall be insufficient for payment of the same, be satisfied as debts and liabilities under the Local Government Act; and all expenses under the unrepealed portions of the said Local Act, so far as the monies to be received thereunder shall be insufficient for payment of the same, shall be borne by the rates leviable under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

11.—All penalties recoverable under the said Local Act or any of the General Acts before mentioned, or under the Local Government Act, 1858, or any of the Acts incorporated therewith, or imposed or recoverable by or in virtue of any byelaw made in pursuance of or in accordance with this Provisional Order, shall be recoverable in the manner provided by the Act of the session of the 11th and 12th years of the reign of Her present Majesty, cap. 43., with respect to the Administration of Justice, and shall be applied in the manner provided by the 176th section of the said Local Act.

Given under my hand, this Second day of June in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

RYDE.

Provisional Order for extending the Borrowing Powers of the Ryde Commissioners acting as Local Board within the District of Ryde in the Isle of Wight.—Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the boundaries of the District of the Town of Ryde in the Isle of Wight by the Commissioners acting under the provisions of the Ryde Improvement Act, 1854.

AND WHEREAS the said Commissioners acting as the Local Board for the said District have duly received powers to borrow, under the Provisions of the Ryde Improvement Act, 1854, and of the Ryde Water Act, 1861, and of the Local Government Supplemental Act, 1863, sums, amounting in the whole to Forty-eight thousand six hundred Pounds (48,600*l.*), to defray the expense of Works for the Drainage of and Supply of Water to the said District, and other works of a permanent nature under the aforesaid Acts (of which sums the amount now actually borrowed is 47,280*l.*): And whereas a further sum will be required to carry out and complete the said works, but such further sum with the first herein-before mentioned sums will exceed the assessable value for one year of the premises assessable under the said Acts and the Local Government Act, 1858, within such district.

AND WHEREAS the said Commissioners acting as such Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for the purpose aforesaid, on mortgage of the rates leviable by the aforesaid Commissioners acting as such Local Board under the powers of the herein-before cited Acts, a sum or sums not exceeding in the whole Nine thousand Pounds (9,000*l.*) which, with the amount already borrowed, will not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows :—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Ryde Improvement Commissioners acting as the Local Board for the District of Ryde in the Isle of Wight aforesaid shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a further sum or sums, such further sum or sums not to exceed altogether Nine thousand Pounds (9,000*l.*), which, together with the sums already borrowed or sanctioned to be borrowed by such Commissioners now acting as the Local Board aforesaid, will not exceed in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Sixteenth day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

WORKINGTON.

Provisional Order for extending the Borrowing Powers of the Workington Local Board.

Whereas the Local Board for the District of Workington, in the County of Cumberland, require to carry out, under the provisions of the Local Government Act, 1858, works of a permanent nature, consisting of works of sewerage and water supply, within their District; but the sum that will be required to carry out and complete the said works will, with the sum of £8,570 already sanctioned to be borrowed by such Local Board, exceed the assessable value for one year of the premises assessable under the said Act within such District.

AND WHEREAS the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow any sum or sums not exceeding in the whole (with the sum of £8,570 already sanctioned to be borrowed) the amount of twenty thousand seven hundred and forty pounds (£20,740), on mortgage of the rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, the said sum or sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

AND WHEREAS after due inquiry and report by Robert Rawlinson, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

NOW, THEREFORE, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

The Local Board for the District of Workington, in the County of Cumberland, shall have power and authority to borrow any sum or sums for the execution and completion of the aforesaid works, being works of a permanent nature, on mortgage of the rates leviable by the said Local Board under the aforesaid Act, the said sum or sums not exceeding twenty thousand seven hundred and forty pounds (inclusive of the sum of £8,570 already sanctioned to be borrowed by such Board), that amount (£20,740) not exceeding in the whole two years' assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eleventh day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

OXFORD.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Oxford Local Board.

Whereas the Local Government Act, 1858, has been duly adopted within the University and City of Oxford, the suburbs thereof, and the adjoining Parish of St. Clement, by the Oxford Commissioners mentioned and referred to in the 82d section of the Local Government Act aforesaid; and the Local Board for the Oxford District have, in pursuance of the provisions of section 77 of the Local Government Act, 1858, presented a petition to me as one of Her Majesty's Principal Secretaries of State, praying that the provisions of the Public Health Act, 1848, and the Local Government Act, 1858, respectively, with respect to the paving, pitching, repairing, lighting, and cleansing of the several public streets, lanes, ways, passages, and places within the District, should come into operation therein, and that the powers of the Commissioners with respect to Magdalen Bridge and the Mileways, and with respect to Gas Works and Gas Supply, should be transferred to and vested in the said Petitioners; that further provision should be made with respect to the election of members of the Local Board; and that provision should be made for rendering the property in the University and the Colleges and Halls thereof liable to the General District Rates of such Local Board.

And whereas for such purposes the said Petitioners prayed that such of the provisions of the Oxford Local Acts of 1771 and 1781 and 1812 and 1815 and 1848 respectively as do not relate to the Markets and to the Gas Works and the Gas Supply respectively (which provisions do not confer powers or privileges upon corporations, companies, undertakers, or individuals for their own pecuniary benefit), should be in part repealed and in part amended, and other provisions enacted; and an order for the purpose under section 77 of the Local Government Act should accordingly be made.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition; and Mr. Robert Rawlinson, the Inspector appointed for the purpose, has reported to me thereon.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1. The following provisions shall have effect on and after the third Wednesday next after the day of the passing of the Act confirming this order.

2. The provisions of the Local Government Act, 1858, relating to the several purposes included in the five several Local Acts of the 11th year of George the 3rd, chap. 19, and the 21st year of George the 3rd, chap. 47, and the 52nd year of George the 3rd, chap. 72, and the Session of the 5th and 6th years of William the 4th, chap. 69, and the Session of the 11th and 12th years of Her present Majesty, chap. 37, which are respectively in force in the Oxford District (in this Order called the five Local Acts), with relation to any of the purposes of the Public Health Act, 1848, or the Local Government Act, 1858, which have not already come into operation within the District, shall (except only as in this Order is otherwise provided) come into and be in operation in all places within the District.

3. Provided that this Order shall be subject to the several powers and provisions of the five Local Acts respectively, so far as the same relate to the Tolls to be demanded and taken in respect of Magdalen Bridge and the Mileways, and to the Mortgages of the Tolls and the rights and remedies of the Mortgagees thereof, and to the Markets respectively.

4. The five Local Acts respectively are by this Order repealed, save only the sections and provisions thereof following, so far as the same respectively are now in force, that is to say, the sections and provisions of the five Local Acts respectively relating to Magdalen Bridge and the Mileways, and the Tolls to be demanded and taken in respect of the same, and the Mortgages of the Tolls, and the rights and remedies of the Mortgagees thereof, and relating to the Markets, and relating to Gas Works and the supply of Gas, and relating to all matters incidental to those matters respectively.

5. The sections and provisions of the five Local Acts respectively which are so saved (except the sections and provisions thereof relating to the Markets) shall, so far as the same respectively are now in force, apply not to the Commissioners but to the Local Board instead of the Commissioners, and shall be read and have effect as if wherever in those sections respectively the Commissioners are named or referred to the Local Board instead of the Commissioners were named or referred to.

6. All sewers, drains, and other works respectively made by and vested in the Commissioners, and all lands and interests in lands respectively, acquired by and vested in the Commissioners for the widening Magdalen Bridge and its approaches and the streets, and all rights incidental to the same respectively, and the benefit and burden of all Contracts entered into by or with the Commissioners with respect to the lighting of streets and other public places, and the supplying of paving stone and materials for paving and repairing streets and other public places, and the cartage thereof, and all rates duly assessed under the provisions of the said five Local Acts or any of them, and not collected at the time that this Order shall begin to have effect, as first herein-before mentioned, and all other property and effects, rights, and liabilities whatsoever of the Commissioners under the five Local Acts respectively, with respect to any of the purposes thereof other than the purposes

thereof relating to the Markets, are by this Order transferred to and vested in the Local Board.

7. All the deeds, records, minutes, accounts, account books, minute books, and other documents, papers, and writings of the Commissioners with respect to any of the purposes of the five Local Acts respectively, other than the purposes thereof with respect to the Markets, shall be the property of the Local Board, and shall forthwith be delivered to them by the Commissioners accordingly, the Local Board giving to the Commissioners, if so required by them, a schedule of and a receipt in writing for the same. But the same shall at all seasonable times be open to the inspection and transcription of the Commissioners and their agents in that behalf, and if and when requisite for enforcing any claim or demand by or resisting any claim or demand against the Commissioners, shall, at their request and expense, be produced in any court of law or equity or elsewhere.

8. Wherever in the Act of the 58th year of George the 3rd, chap. 64, intituled "An Act for lighting with Gas the University and City of Oxford and the Suburbs of the same City," the Commissioners are named or referred to, the Local Board instead of the Commissioners shall be deemed to be named or referred to, and that Act shall be read and have effect accordingly.

9. For the purposes of all Acts from time to time in force with respect to the removal or prevention of nuisances, and also with respect to the well ordering of Common Lodging Houses, the Local Board instead of the Commissioners shall be the Local Authority with respect to the execution of those Acts within the District.

10. Notwithstanding the repeal of parts of the five Local Acts respectively, and the transfer by this Order to the Local Board of parts of the property, powers, rights, and liabilities of the Commissioners, and except only as is by this Order otherwise expressly provided, everything before the coming into effect of this Order done, suffered, and confirmed respectively, under or by the five Local Acts respectively, shall be as valid as if the repeal and transfer had not happened, and the repeal and transfer and the operation of this Order shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all rights, liabilities, claims, and demands, both present and future, which, if the repeal and transfer had not happened, would be incident to or consequent on everything so done, suffered, and confirmed respectively, and with respect to everything so done, suffered, and confirmed respectively, and to all those rights, liabilities, claims, and demands, the Local Board shall to all intents represent the Commissioners.

11. The accounts of the Commissioners with respect to the several purposes of the five Local Acts respectively, other than the purposes thereof with respect to the Markets, shall forthwith be made up and stated and audited. And if the accounts show a balance in the hands of the Commissioners, then the amount of the balance shall thereupon be paid by them to the Local Board, or if the accounts show that the debts and liabilities of the Commissioners are not fully paid or discharged,

charged, then the lawful debts and liabilities of the Commissioners remaining unpaid or undischarged shall be paid or discharged by the Local Board.

12. Provided that this Order shall not give to the Mortgagees of the Tolls to be demanded and taken in respect of Magdalen Bridge and the Mileways any security, right, or remedy, in excess of the securities, rights, and remedies which they would have if this Order were not confirmed, and shall not relieve the Parishes of Cowley, Iffley, and St. Clement, or either of them, nor any person or persons, body or bodies, politic or corporate, from any liability with respect to the repair of the Mileways or Magdalen Bridge, and shall not impose on the Local Board any liability with respect to the repair of Magdalen Bridge and the Mileways to which the Commissioners would not be subject if this Order were not confirmed.

13. If any Rates duly assessed under the provisions of the said five Local Acts shall not have been collected at the time that this Order shall begin and have effect, as first herein-before mentioned, the Local Board shall have all the powers for the recovery of the said uncollected Rates which were heretofore possessed by the said Commissioners, and the monies which shall be collected or recovered shall be applied by the Local Board for their general purposes as if they had been part of a General District Rate.

14. The accounts of the Commissioners to be made up, stated, and audited, as by this Order provided, and the accounts of the Local Board, shall be audited by the Auditor of the accounts of the Guardians of the Poor within the City of Oxford, under the Oxford Poor Rate Act 1854, and there shall be paid to him by the Commissioners, and from time to time by the Local Board respectively, the like remuneration for his services in so auditing their respective accounts as is from time to time paid to him for his services in auditing the accounts of the Guardians.

15. The Local Board from time to time, if and when they think fit, may, within the District, cleanse any parts of the Rivers Cherwell and Thames or Isis respectively, and of the streams running into those rivers respectively, and may prevent or remove any encroachments on any of those rivers and streams respectively, and may convert any parts of any of those streams into which any sewer or drain is from time to time emptied into a covered sewer, and may do and execute all works and things which the Local Board shall think requisite for or incidental to any of those purposes.

16. Where the Local Board shall so convert any part of any of those streams into a covered sewer the arch or other covering over the same, and all works executed by them for the purpose of covering over the same and incidental thereto, shall be by this Order vested in the Local Board.

17. Except as regards any sewer or drain which now is lawfully emptied into any of those rivers and streams before mentioned the Local Board may prevent the emptying of any sewer or drain into any of those

rivers and streams, and may do and execute all works and things which they shall think requisite in such case.

18. Where any present or future sewer of the Local Board is within 100 feet from any sewer or drain which now is lawfully emptied into any of those rivers and streams respectively, the Local Board may divert the sewer or drain, so that it shall thenceforth be emptied into the sewer instead of into such river or stream, and may do and execute all works and things which they think requisite in such case. But the Local Board shall not so divert any sewer or drain without providing for it a proper and sufficient outfall into their own sewer.

19. All properties whatsoever within the District which are or hereafter may be assessable to any Rate for the Relief of the Poor shall be assessable to the General District Rates to be made and levied by the Local Board, in the same manner in all respects as is provided by Section 55 of the "Local Government Act, 1858," and all exemptions from Rates heretofore allowed under any or either of the five Local Acts shall henceforth cease.

20. The several powers by this Order conferred on the Local Board shall be in addition to and not in any respect restrictive of their other powers.

21. Except only as is by this Order expressly provided, nothing in this Order shall take away, lessen, prejudice, alter, or affect any privilege or right whatsoever of the University, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or any privilege or right whatsoever of the City, or of any of the Magistrates or Servants thereunto belonging, or any exercise of any such respective privilege or right.

Given under my hand this Thirty-first day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

HINCKSEY (OXFORD DISTRICT).

Provisional Order for altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the University and City of Oxford, the Suburbs thereof, and the adjoining Parish of Saint Clement, by the Oxford Commissioners mentioned in the 82d section of the said Local Government Act, and acting as Local Board under its provisions: And whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of such Act, from the said Commissioners acting as such Board, praying that their District might be extended by including therein a certain detached portion of the Parish of North Hincksey in the County of Berks, as described in their Petition.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly held in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Rawlinson, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of Oxford aforesaid shall be extended by including within its boundaries all that detached portion of the Parish of North Hincksey in the County of Berks which adjoins the Liberty of Grandpont in the Parish of Saint Aldate in the said County, and is bounded by the Shirelake Ditch, and including the same on the north, Grandpont in the Parish of Saint Aldate on the east, the northern side of the towing-path adjoining the river Isis on the south (excluding such towing-path), and the river Isis on the south-west and west, including the said river, and which said portion of the Parish of North Hincksey is shown on the map accompanying such Petition, and is coloured yellow thereon.

2.—The Local Board for the time being for the District of Oxford shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same.

Given under my hand this Twentieth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

COWLEY (Oxford District).

Provisional Order for altering the Boundaries of the District of Oxford, under the Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted within the University and City of Oxford, the Suburbs thereof, and the adjoining Parish of Saint Clement, by the Oxford Commissioners mentioned in the 82d section of the said Local Government Act, and acting as Local Board under its provisions: And whereas a Petition has been duly presented to me as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, from owners and ratepayers of the Parish of Cowley, comprising the Townships of Church Cowley and Temple Cowley, partly in the City and Borough of Oxford and partly in the County of Oxford, praying that the District of the said Oxford Local Board might be extended by including therein certain pieces or parcels of land in the said Parish of Cowley as described in the said Petition, and delineated on the map accompanying the same, the boundary thereof being coloured brown thereon.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and duly held in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Robert Rawlinson, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of Oxford aforesaid shall be extended by including within its boundaries the two meadows numbered 1 and 2 on the map annexed to the award dated the twenty-eighth day of June One thousand eight hundred and fifty-three of the valuer acting in the inclosure of the open fields of Cowley, the Marsh, Bullingdon Green, and Elder Stubbs, situate in the Parishes of Cowley, Iffley, and Saint Clement, in the County of Oxford, and which lie on the west side of Magdalen Bridge and between the branches of the river Cherwell there; and also all and so much of the said Parish of Cowley, including Church Cowley and Temple Cowley, as lies between and is bounded on the north, north-west, and west by the river Cherwell and the stream leading out of the same to the private road bounding the allotment numbered 3 on the said award, and bounded on the south by the said private road and on the east by the Henley Mileway; and also so much of the Parish of Cowley as lies between and is bounded by the Henley Mileway on the west, the Cowley Mileway on the east and north-east, and the road called Magdalen Road on the south or south-east: Also the allotment numbered 40 on the said award, lying on the south side of the said Magdalen Road. Also so much of the parish of Cowley as lies north or north-west of the Divinity Footway and east or north-east of the Cowley Mileway: Also that part of the said Henley Mileway which extends from the Saint Clement's Turnpike to the first part of the same mileway marked as belonging to Iffley, and tinted yellow on the map annexed to the said award: Also the whole of the Magdalen Road and so much of the Cowley Mileway as extends from the Divinity Footway to Saint Clement's Turnpike and is not in the

Parish of Saint Clement: And also all other such parts, if any, of the Parish of Cowley as are not herein-before described and are in the Borough of Oxford.

2.—The Local Board for the time being for the District of Oxford shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same.

Given under my hand this Twentieth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. GREY.

Local Government Supplemental (No. 5.)

A

B I L L

To confirm certain Provisional Orders unde
"The Local Government Act, 1858," relatin
to the Districts of Nottingham, Rusholme
Plymouth, Redcar, Cardiff, Kingston-upon
Hull, Guildford, Ramsgate, Ryde, Workington, and Oxford, and for other Purpose
relative to certain Districts under the sai
Act.

(*Prepared and brought in by*
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
13 *June* 1865.

[Bill 209.]

Under 6 *ozs.*

A

B I L L

FOR

Further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes.

Preamble.
24 & 25 Vict. c. 70.

WHEREAS by the "Locomotives Act, 1861," certain Provision was made for regulating the Use of Locomotives on Turnpike and other Roads, and it is expedient that further and fuller Provision should be made for that Object: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Sections of "Locomotives Act, 1861," repealed.

1. The Fifth, Ninth, and Eleventh Sections of the said recited Act are hereby repealed.

Imposing Rules for the Manner of working Locomotives on Turnpike Roads and Highways.

2. Every Locomotive propelled by Steam or any other than Animal Power, to be used by the Owner thereof either in his own Person or by his Servants, on any Turnpike Road or public Highway, shall be worked according to the following Rules and Regulations; viz.:

Firstly, at least *Three* Persons shall be employed to drive or conduct such Locomotive, and if more than Two Waggons or

Carriages be attached thereto, an additional Person shall be employed, who shall take charge of such Waggons or Carriages:

Secondly, one of such Persons shall precede such Locomotive by not less than *Sixty* Yards, and shall signal the Driver of such Locomotive when it shall be necessary to stop or slacken the Speed thereof, and shall assist Horses, and Carriages drawn by Horses, passing the same:

Thirdly, the Drivers of such Locomotives shall attend to the working thereof, and keep the same upon the Right-hand or Off Side of the Road, and shall give as much Space as possible for the passing of other Traffic:

Fourthly, the Whistle, if any, of such Locomotive, shall not be sounded for any Purpose whatever; the Cylinder Taps shall not be opened within Sight of a Horse; nor shall the Steam be allowed to attain a Pressure such as to exceed the Limit fixed by the Safety Valve, so that no Steam shall blow off when the Locomotive is upon the Road:

Fifthly, every such Locomotive shall be instantly stopped, on the Person preceding the same, or any other Person with a Horse, or Carriage drawn by a Horse, putting up his Hand as a Signal to require such Locomotive to be stopped:

And any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof, forfeit and pay any Sum not exceeding *Five Pounds.*

Limit of Speed of Locomotives on Turnpike Roads and Highways.

3. It shall not be lawful to drive any Locomotive along any Turnpike Road or public Highway at a greater Speed than *Four* Miles an Hour, or through any City, Town, or Village at a greater Speed than *Two* Miles an Hour; and any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof, if he be not the Owner of such Locomotive, forfeit any Sum not exceeding *Five Pounds,* and if he be the Owner thereof shall forfeit any Sum not exceeding *Ten Pounds.*

Size and Weight of Locomotives which may be used.

4. Subject to the Provisions of this Act, any Locomotive which shall not exceed *Nine Feet* in Width or *Fourteen* Tons in Weight may be used on any Turnpike or other Road, provided that the Wheels of such Locomotive be constructed according to the Requirements of the said recited Act.

Restrictions as to the Use of Steam Engines within 25 Yards of

5. Any Provision in any Act contained prohibiting, under Penalty, the Erection and Use of any Steam Engine, Gin, or other like Machine, or any Machinery attached thereto, within the Distance of Twenty-five Yards from any Part of any Turnpike Road, Highway

way, Carriageway, or Cartway, unless such Steam Engine, Gin, or other like Engine or Machinery be within some House or other Building, or behind some Wall, Fence, or Screen sufficient to conceal or screen the same from such Turnpike Road, Highway, Carriageway, or Cartway, shall not extend to prohibit the Use of any Locomotive Steam Engine for the Purpose of ploughing within such Distance of any such Turnpike Road, Highway, Carriageway, or Cartway.

Roads not to apply to Locomotives used for ploughing Purposes.

6. The Penalties incurred under the recited Act and this Act for Offences committed in England may be recovered according to the Provisions for the Recovery of Penalties contained in "The Railways Clauses Consolidation Act, 1845," and the Penalties incurred under the recited Act and this Act for Offences committed in Scotland may be recovered according to the Provisions for the Recovery of Penalties contained in "The Railways Clauses Consolidation (Scotland) Act, 1845," and for these Purposes the Clauses of these Acts with respect to the Recovery of Penalties shall be incorporated with this Act: Provided always, that any Summons which shall be issued against any Person under this Act shall be served at least *Seven* Days before the Complaint contained therein shall be tried.

How Penalties may be recovered.

7. This Act may be cited as "The Locomotives Act, 1865."

Short Title of Act.

8. This Act shall extend to Great Britain.

Extent of Act.

Locomotives on Roads.

A

BILL

For further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes.

(*Prepared and brought in by*
Mr. Holland, Sir Edward Dering, and
Sir John Hay.)

Ordered, by The House of Commons, *to be Printed,*
10 *March* 1865.

[Bill 63.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes.

Preamble.
24 & 25 Vict. c. 70.

WHEREAS by the "Locomotives Act, 1861," certain Provision was made for regulating the Use of Locomotives on Turnpike and other Roads, and it is expedient that further and fuller Provision should be made for that Object: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Sections of "Locomotives Act, 1861." repealed.

1. The Fifth, Ninth, Eleventh, and Fifteenth Sections of the said recited Act are hereby repealed.

Imposing Rules for the Manner of working Locomotives on Turnpike Roads and Highways.

2. Every Locomotive propelled by Steam or any other than Animal Power, to be used by the Owner thereof either in his own Person or by his Servants, on any Turnpike Road or public Highway, shall be worked according to the following Rules and Regulations; viz.:

Firstly, at least Three Persons shall be employed to drive or conduct such Locomotive, and if more than Two Waggons or

Carriages be attached thereto, an additional Person shall be employed, who shall take charge of such Waggons or Carriages:

Secondly, one of such Persons shall precede such Locomotive on Foot by not more than Sixty Yards, and shall warn the Riders and Drivers of Horses of the Approach of such Locomotives, and shall signal the Driver thereof when it shall be necessary to stop, and shall assist Horses, and Carriages drawn by Horses, passing the same:

Thirdly, the Drivers of such Locomotives shall attend to the working thereof, and shall give as much Space as possible for the passing of other Traffic:

Fourthly, the Whistle, if any, of such Locomotive, shall not be sounded for any Purpose whatever; nor shall the Cylinder Taps be opened within Sight of any Horse upon the Road; nor shall the Steam be allowed to attain a Pressure such as to exceed the Limit fixed by the Safety Valve, so that no Steam shall blow off when the Locomotive is upon the Road:

Fifthly, every such Locomotive shall be instantly stopped, on the Person preceding the same, or any other Person with a Horse, or Carriage drawn by a Horse, putting up his Hand as a Signal to require such Locomotive to be stopped:

Sixthly, any Person in charge of any such Locomotive shall provide Two efficient Lights to be affixed conspicuously, One at each Side on the Front of the same, between the Hours of One Hour after Sunset and One Hour before Sunrise:

And any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof, forfeit and pay any Sum not exceeding Five Pounds: Provided that nothing herein contained shall in any way affect the Right of any Person to recover Damages in an Action at Law in respect of any Injury or Damage sustained by him in consequence of the Use of such Locomotive.

Limit of Speed of Locomotives on Turnpike Roads and Highways.

3. It shall not be lawful to drive any Locomotive along any Turnpike Road or public Highway at a greater Speed than Four Miles an Hour, or through any City, Town, or Village at a greater Speed than Two Miles an Hour; and any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof, if he be not the Owner of such Locomotive, forfeit any Sum not exceeding Five Pounds, and if he be the Owner thereof shall forfeit any Sum not exceeding Two Pounds.

Size and Weight of Locomotives which may be used.

4. Subject to the Provisions of this Act, any Locomotive which shall not exceed Nine Feet in Width or Fourteen Tons in Weight may be used on any Turnpike Road or public Highway, provided that the Wheels of such Locomotive be constructed according to the Requirements of the said recited Act; and no Locomotive exceeding Nine Feet in Width or Fourteen Tons in Weight shall be used on any such Road, except subject to the Provisions contained in the Third Section of the said Act as to the Use of Locomotives exceeding Seven Feet in Width and Twelve Tons in Weight.

Restrictions as to the Use of Steam Engines within 25 Yards of Roads not to apply to Locomotives used for ploughing Purposes.

5. Any Provision in any Act contained prohibiting, under Penalty, the Erection and Use of any Steam Engine, Gin, or other like Machine, or any Machinery attached thereto, within the Distance of Twenty-five Yards from any Part of any Turnpike Road, Highway, Carriageway, or Cartway, unless such Steam Engine, Gin, or other like Engine or Machinery be within some House or other Building, or behind some Wall, Fence, or Screen sufficient to conceal or screen the same from such Turnpike Road, Highway, Carriageway, or Cartway, shall not extend to prohibit the Use of any Locomotive Steam Engine for the Purpose of ploughing within such Distance of any such Turnpike Road, Highway, Carriageway, or Cartway, provided a Person shall be stationed in the Road, and employed to signal the Driver when it shall be necessary to stop, and to assist Horses and Carriages drawn by Horses passing the same.

Forty-first Section of Thames Embankment Act, 1862, not to be affected.

6. Nothing in this Act contained shall repeal, alter, or in any way affect the Provisions of the Forty-first Section of "The Thames Embankment Act, 1862."

Short Title of Act.

7. This Act may be cited as "The Locomotives Act, 1865;" and "The Locomotives Act, 1861," and this Act, shall be construed together as One Act.

Locomotives on Roads.

A

B I L L

[AS AMENDED IN COMMITTEE]

For further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes.

(Prepared and brought in by
Mr. Holland, Sir Edward Dering, and
Sir John Hay.)

Ordered, by The House of Commons, *to be Printed,*
26 *April* 1865.

[Bill 116.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE AND ON CONSIDERATION OF BILL AS AMENDED]

FOR

Further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes.

Preamble. 24 & 25 Vict. c. 70.

WHEREAS by the "Locomotives Act, 1861," certain Provision was made for regulating the Use of Locomotives on Turnpike and other Roads, and it is expedient that further and fuller Provision should be made for that Object: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

CLAUSE A. Commencement of Act.

1. This Act shall not come into operation till the First Day of September One thousand eight hundred and sixty-five, which Day is herein-after referred to as the Commencement of the Act.

Certain Sections of "Locomotives Act, 1861," repealed.

2. After the Commencement of this Act, the Fifth, Ninth, Eleventh, and Fifteenth Sections of the said recited Act, and all Orders made in pursuance of the said Fifth Section, are hereby repealed.

Imposing Rules for the Manner of working Locomotives on Turnpike Roads and Highways.

3. Every Locomotive propelled by Steam or any other than Animal Power on any Turnpike Road or public Highway shall be worked according to the following Rules and Regulations; viz.:

Firstly, at least Three Persons shall be employed to drive or conduct such Locomotive, and if more than Two Waggons or Carriages be attached thereto, an additional Person shall be employed, who shall take charge of such Waggons or Carriages:

Secondly, one of such Persons shall precede such Locomotive on Foot by not more than Sixty Yards, and shall warn the Riders and Drivers of Horses of the Approach of such Locomotives, and shall signal the Driver thereof when it shall be necessary to stop, and shall assist Horses, and Carriages drawn by Horses, passing the same:

Thirdly, the Drivers of such Locomotives shall give as much Space as possible for the passing of other Traffic:

Fourthly, the Whistle, if any, of such Locomotive, shall not be sounded for any Purpose whatever; nor shall the Cylinder Taps be opened within Sight of any Horse upon the Road; nor shall the Steam be allowed to attain a Pressure such as to exceed the Limit fixed by the Safety Valve, so that no Steam shall blow off when the Locomotive is upon the Road:

Fifthly, every such Locomotive shall be instantly stopped, on the Person preceding the same, or any other Person with a Horse, or Carriage drawn by a Horse, putting up his Hand as a Signal to require such Locomotive to be stopped:

Sixthly, any Person in charge of any such Locomotive shall provide Two efficient Lights to be affixed conspicuously, One at each Side on the Front of the same, between the Hours of One Hour after Sunset and One Hour before Sunrise:

In the event of a Non-compliance with any of the Provisions of this Section, the Owner of the Locomotive shall, on summary Conviction, be liable to a Penalty not exceeding Five Pounds; but it shall be lawful for such Owner, on proving he has incurred such Penalty by reason of the Negligence or wilful Default of any Person in charge of or in attendance on such Locomotive, to recover summarily from such Person the whole or any Part of the Penalty he may have incurred as Owner.

Limit of Speed of Locomotives on Turnpike Roads and Highways.

4. Subject and without Prejudice to the Regulations herein-after authorized to be made by Local Authorities, it shall not be lawful to drive any such Locomotive along any Turnpike Road or public Highway at a greater Speed than Four Miles an Hour, or through any City, Town, or Village at a greater Speed than Two Miles an Hour; and any Person acting contrary hereto shall for every such

Offence, on summary Conviction thereof, forfeit any Sum not exceeding Five Pounds.

Size and Weight of Locomotives which may be used.

5. Subject to the Provisions of this Act, any Locomotive which shall not exceed Nine Feet in Width or Fourteen Tons in Weight may be used on any Turnpike Road or public Highway, provided that the Wheels of such Locomotive be constructed according to the Requirements of the said recited Act; and no Locomotive exceeding Nine Feet in Width or Fourteen Tons in Weight shall be used on any such Road, except subject to the Provisions contained in the Third Section of the said Act as to the Use of Locomotives exceeding Seven Feet in Width and Twelve Tons in Weight.

Restrictions as to the Use of Steam Engines within 25 Yards of Roads not to apply to Locomotives used for ploughing Purposes.

6. Any Provision in any Act contained prohibiting, under Penalty, the Erection and Use of any Steam Engine, Gin, or other like Machine, or any Machinery attached thereto, within the Distance of Twenty-five Yards from any Part of any Turnpike Road, Highway, Carriageway, or Cartway, unless such Steam Engine, Gin, or other like Engine or Machinery be within some House or other Building, or behind some Wall, Fence, or Screen sufficient to conceal or screen the same from such Turnpike Road, Highway, Carriageway, or Cartway, shall not extend to prohibit the Use of any Locomotive Steam Engine for the Purpose of ploughing within such Distance of any such Turnpike Road, Highway, Carriageway, or Cartway, provided a Person shall be stationed in the Road, and employed to signal the Driver when it shall be necessary to stop, and to assist Horses and Carriages drawn by Horses passing the same, and provided the Driver of the Engine do stop in proper Time.

CLAUSE B.
Name and Residence of Owner.

7. The Name and Residence of the Owner of every Locomotive shall be affixed thereto in a conspicuous Manner. If it is not so affixed the Owner shall, on summary Conviction, be liable to a Penalty not exceeding Two Pounds.

CLAUSE C.
Power of Local Authorities to make Regulations.

8. The following Local Authorities, (that is to say,)

1. In the City of London and Liberties thereof, the Court of the Lord Mayor and Aldermen;
2. In the Metropolis, as defined by the Act of the Session of the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty (except the City of London), the Metropolitan Board of Works;
3. In any Borough in England the Population of which shall have exceeded Ten thousand at the last Census, the Council of the Borough;

4. In any Town in England the Population of which shall have exceeded Ten thousand at the last Census, not within the Jurisdiction of a Council, but within the Jurisdiction of any Trustees or Improvement Commissioners appointed under any Public or Private Act of Parliament, the Trustees or Commissioners;

5. In any Borough or Town in Scotland the Population of which shall have exceeded Ten thousand at the last Census, within the Jurisdiction of a Town Council, the Town Council, and in any Town in Scotland not within the Jurisdiction of a Town Council, but subject to the Jurisdiction of Police Commissioners, or of Trustees exercising under any Public or Private Act of Parliament the Functions of Police Commissioners, the Police Commissioners, or, where there are no Police Commissioners, then the Trustees,—

may make Orders as to the Hours during which (and as to the Speed, not in any Case to exceed Two Miles an Hour, at which) Locomotives are to pass through the City or Place subject to their respective Jurisdictions: and any Person in charge of a Locomotive acting contrary to such Regulations shall, on summary Conviction, be liable to a Penalty not exceeding Five Pounds:

Every Order made in pursuance of this Section shall be reduced into Writing, and shall have affixed thereto the Common Seal of the Local Authority, where they have a Common Seal, and shall be signed by the Members of the Local Authority, or any Two of them, where they have not a Common Seal:

A Copy of such Order shall be advertised in some Newspaper circulating within the Jurisdiction of the Local Authority, and the Production of a Newspaper containing such Advertisement shall be Evidence of the Copy having been advertised in pursuance of this Act.

CLAUSE D.
In Ireland the County Surveyor to be deemed the Conservator of the Roads in his County, and Proceedings for Damage to be taken in his Name.

9. For the Purposes of this Act, the County Surveyor of each County in Ireland shall be deemed to be the Conservator of all the Roads in the County of which he is Surveyor, made or repaired by Grand Jury Presentment: and it shall not be lawful to use any Locomotive, other than those specially authorized by this Act, on any such Road in any County in Ireland, without the Consent in Writing of the County Surveyor thereof, approved of by One or more Justices sitting at Petty Sessions; and all Compensation for Damage done by any Locomotive to any Bridge, Gullet, or Arch, or any of the Walls, Buttresses, or Supports thereof, on any such

Road in any County in Ireland, shall be recoverable in the Name of the County Surveyor thereof, for and on behalf of the County, from the Party liable to pay the same, such Compensation, if not exceeding Ten Pounds, to be recovered in a summary Way by Summons at Petty Sessions, and if over Ten Pounds to be recovered by Process in the Civil Bill Court.

CLAUSE E.
How Penalties to be recovered and applied in Ireland.

10. Every Penalty imposed by the Provisions of this Act shall, in Ireland, be recoverable before a Justice or Justices of the Peace in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same, and shall be applied according to the Provisions of "The Fines (Ireland) Act, 1851," and any Act amending the same.

Forty-first Section of Thames Embankment Act, 1862, not to be affected.

11. Nothing in this Act contained shall repeal, alter, or in any way affect the Provisions of the Forty-first Section of "The Thames Embankment Act, 1862."

CLAUSE F.
Saving Clause as to Actions.

12. Nothing in this Act contained shall authorize any Person to use a Locomotive which may be so constructed or used as to be a public Nuisance at Common Law, and nothing herein contained shall affect the Right of any Person to recover Damages in respect of any Injury he may have sustained in consequence of the Use of a Locomotive.

Short Title of Act.

13. This Act may be cited as "The Locomotives Act, 1865;" and "The Locomotives Act, 1861," and this Act, shall be construed together as One Act.

Locomotives on Roads.

A

B I L L

[AS AMENDED IN COMMITTEE AND ON CONSIDERATION OF BILL AS AMENDED]

For further regulating the Use of Locomotives on Turnpike and other Roads, for agricultural and other Purposes.

(Prepared and brought in by
Mr. Holland, Sir Edward Dering, and
Sir John Hay.)

Ordered, by The House of Commons, *to be Printed,*
11 *May* 1865.

[Bill 143.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

LOCOMOTIVES ON ROADS BILL.

Note.—*The Page and Line refer to the Bill* (108.) *as printed by the Lords.*

Page 1.

Line 11. After (“ Act ”) insert (“ and shall cease and determine “ on the First of September One thousand eight hundred and sixty- “ seven ”)

Line 12. After (“ Act ”) insert (“ and so long as the same shall “ continue in force ”)

Page 2.

Line 8. After (“ Persons ”) insert (“ while any Locomotive is in “ Motion ”)

Line 9. Leave out (“ more ”) and insert (“ less ”), and after (“ Yards ”) insert (“ and shall carry a Red Flag constantly “ displayed ”)

Line 16. Leave out (“ if any ”)

Line 18. After (“ any ”) insert (“ Person riding, driving, leading, “ or in charge of a ”), and after (“ Horse ”) insert (“ or any other “ Animal ”)

Line 23. After (“ same ”) insert (“ as aforesaid ”), and leave out from the Second (“ Person ”) to (“ such ”) in Line 25, and insert (“ riding, driving, leading, or in charge of a Horse or any other “ Animal requiring ”)

Line 25. After (“ stopped ”) insert (“ or putting up his Hand as “ a Signal for the same ”)

Line 32. After (“ Conviction ”) insert (“ thereof before Two “ Justices ”), and leave out (“ Five ”) and insert (“ Ten ”)

Line 33. After (“ proving ”) insert (“ that ”)

Line 43. Leave out (“ hereto ”) and insert (“ thereto ”)

Page 3.

Line 2. Leave out ("Five") and insert ("Ten")

Line 25. Leave out ("to"), and leave out ("Horses and " Carriages drawn by Horses") and insert ("any Person riding, " driving, leading, or in charge of a Horse or any other Animal")

Line 39. Leave out ("Ten") and insert ("Five"), and after ("Census") insert ("and in which the Management of Highways " is not under the Control of the Local Board of Health, or of " Commissioners appointed under any Local Act")

Page 4.

Line 1. After ("any") insert ("Borough or")

Line 2. Leave out ("Ten") and insert ("Five")

Line 22. Leave out ("Five") and insert ("Ten")

Line 28. After ("be") insert ("affixed to some public Place " within the Jurisdiction of the Local Authority, and")

LORDS AMENDMENTS

TO THE

LOCOMOTIVES ON ROADS BILL.

Ordered, by The House of Commons, *to be Printed,*
27 June 1865.

[Bill 246.]

Under 1 *oz.*

A

B I L L

FOR

Relieving Brokers in the City of London from the Supervision of the Court of Mayor and Aldermen of the said City and from certain Taxes payable to the Corporation of the said City.

Preamble.

6 Ann. c. 16.

WHEREAS in the Sixth Year of the Reign of Queen Anne an Act (Public) was passed, intituled " An Act for " repealing the Act of the First Year of King James " the First, intituled ' An Act for the well garbling of Spices,' " and for granting an Equivalent to the City of London by ad- " mitting Brokers" (to which Act of the Sixth Year of Queen Anne the Expression " the Act of Queen Anne," when hereafter used in this Act, refers) :

And whereas the Preamble of the Act of Queen Anne recited in substance as follows; namely,—that by the said Act of King James several Drugs, Wares, Spices, and Merchandises were to be garbled within the City of London and the Liberties thereof, under Penalties and Forfeitures, and Powers were given to the Garbler, which Act in many Cases had then become useless, and in other Cases would be prejudicial and to the Damage of several Wares and Merchandises so to be garbled, to the Obstruction and Discouragement of the Trade of the Kingdom and the Foreign Exportation, and to the Vexation of the Subjects, by unnecessary Prosecutions in the Court of Exchequer:

And whereas the Act of Queen Anne proceeded (Section One) to repeal the said Act of King James, and (Section Two) to discontinue all Suits and Informations then depending or at any Time thereafter brought on the Act so repealed, under Pretence of any Seizure, Forfeiture, or Penalty, or for any Offence, and to declare void all Seizures upon that Act, made or to be made, with a Proviso (Section Three) empowering the Mayor, Aldermen, and Common Council of the City of London to appoint from Time to Time a fit and able Person to execute the Office of Garbler within the City of London and the Liberties thereof, who, at the Request of any Person, Owner of any Spices, Drugs, or other Wares or Merchandises garbleable, and not otherwise, should garble the same; such Garbler to have and receive for his Pains and Trouble therein as the said Mayor, Aldermen, and Common Council should appoint, and no more:

And whereas the Act of Queen Anne (Section Four) further recited as follows; namely,—that the Profits of the said Office (meaning the Office of Garbler) were Part of the Revenues and Incomes of the City of London, and were then let by Lease to William Stewart under the Rent of Three hundred Pounds per Annum; the Profits of which Office, and the Right of the said William Stewart to the same, by repealing the said Act (meaning the said Act of King James) would be very much diminished:

And whereas the Act of Queen Anne (Section Four) proceeded to enact as follows; namely,—that from and after the Determination of the then present Session of Parliament all Persons that should act as Brokers within the City of London and Liberties thereof should from Time to Time be admitted so to do by the Court of Mayor and Aldermen of the said City for the Time being, under such Restrictions and Limitations for their honest and good Behaviour as that Court should think fit and reasonable, and should upon such their Admission pay to the Chamberlain of the said City for the Time being, for the Uses therein-after mentioned, the Sum of Forty Shillings, and should also yearly pay to the said Uses the Sum of Forty Shillings upon the Nine-and-twentieth Day of September in every Year; all which Moneys should in the first place be applied for and towards the paying and satisfying to the said William Stewart the Sum of Nine hundred and sixty-seven Pounds Ten Shillings, for a Compensation for his Interest in the said Office, and that from and after the full Payment of the said Sum of Nine hundred and sixty-seven Pounds Ten Shillings to the said William Stewart all the Moneys arising by such Admissions and yearly

Payments should go to and be enjoyed by the said Mayor and Commonalty and Citizens of the City of London; and that from and after the Determination of the then present Session of Parliament the said Lease to the said William Stewart, and every Clause therein contained, should cease, determine, and be absolutely void:

And whereas the admitting of Brokers by the Court of Mayor and Aldermen of the City of London, under such Restrictions and Limitations for their honest and good Behaviour as that Court thinks fit and reasonable, is a System not suited to the Position and Character of Brokers in the City of London at the present Day, is opposed in Principle to the Rules established by the Act of Parliament regulating Municipal Corporations in England in relation to Trade Privileges, Restrictions, and Monopolies, and is not productive of any public Benefit; and it is therefore expedient that the Provision of the Act of Queen Anne under which that System exists be repealed:

And whereas the Compensation so provided for the said William Stewart for his Interest in the Office of Garbler has long since been paid:

And whereas (as appears by the Preamble of Section Four of the Act of Queen Anne) the Office of Garbler at the Time of the passing of the Act of Queen Anne produced to the Corporation of the City of London (hereafter in this Act called the Corporation) the Sum of Three hundred Pounds a Year, and no more:

And whereas the Receipts of the Corporation from the Taxes imposed on Brokers by the Act of Queen Anne have been on an average of Ten Years ending with the Year One thousand eight hundred and sixty-three at the Rate of One thousand seven hundred and ninety-five Pounds Twelve Shillings a Year:

And whereas, consequently, the Effect of the Act of Queen Anne was to grant to the Corporation, by way of Compensation for a partial Loss of the Profits of an Office then worth to them Three hundred Pounds a Year only, an Income amounting to One thousand seven hundred and ninety-five Pounds Twelve Shillings a Year:

And whereas the Corporation have for some Time past ceased to appoint any Person to execute the Office of Garbler, and that Office is in effect discontinued:

And whereas before the Discontinuance of that Office the Corporation had received from the Taxes imposed on Brokers by the Act of Queen Anne a Sum far exceeding the Amount that could reasonably be claimed by them as Compensation for a Diminution in the Profits of the Office of Garbler:

And whereas it is unreasonable that exceptional Taxes should be continued on Brokers in the City of London in order to compensate the Corporation in respect of a Diminution in the Profits of an Office which is in effect discontinued, and in respect whereof the Corporation have long been more than sufficiently compensated; and it is therefore just and expedient that the Provision of the Act of Queen Anne imposing those Taxes be repealed:

And whereas it has been the Practice of the Court of Mayor and Aldermen of the City of London, on the Admission of any Person to act as Broker, to require him to enter into a Bond or Bonds with a Penalty, and to find Sureties to join therein with Penalties, for his good Behaviour as Broker, and for his Payment of (among other things) the yearly Taxes imposed by the Act of Queen Anne:

And whereas it is just and expedient that all such Bonds given before the passing of this Act be made null as far as relates to the Behaviour of the Obligor as Broker, and to the Recovery thereunder of the Taxes imposed by the Act of Queen Anne:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as The London Brokers Act, 1865.

Partial Repeal of recited Act of Queen Anne.

2. So much of the Act of Queen Anne is hereby repealed as enacts as follows; namely,—that "all Persons that shall act as "Brokers within the City of London and Liberties thereof shall "from Time to Time be admitted so to do by the Court of Mayor "and Aldermen of the said City for the Time being, under such "Restrictions and Limitations for their honest and good Behaviour "as that Court shall think fit and reasonable, and shall, upon "such their Admission, pay to the Chamberlain of the said City "for the Time being, for the Uses herein-after mentioned, the Sum "of Forty Shillings, and shall also yearly pay to the said Uses "the Sum of Forty Shillings upon the Nine-and-twentieth Day "of September in every Year."

Brokers Bonds not to be enforced as to Taxes under same Act, &c.

3. Any Bond or other Security given before the passing of this Act by any Person, on or in relation to his Admission to act as a Broker as aforesaid, shall not, after the passing of this Act, be put in force for the Recovery from him, or any Surety for him, of any Sum by way of Penalty in respect of his Behaviour as Broker, or of any Sum by the Act of Queen Anne required to be paid by him; and every such Bond or other Security is hereby declared void so far as it relates to any such Sum; nor shall any such Sum be payable by or recoverable from any Person after the passing of this Act.

London Brokers.

A

BILL

For relieving Brokers in the City of London from the Supervision of the Court of Mayor and Aldermen of the said City and from certain Taxes payable to the Corporation of the said City.

(Prepared and brought in by
Mr. Moffatt, Mr. Hankey, and Mr. Taverner
John Miller.)

Ordered, by The House of Commons, *to be Printed,*
25 *May* 1865.

[Bill 167.]

Under 1 oz.

A

BILL

TO

Explain and amend "The Lunatic Asylum Act, 1853," and "The Lunacy Act Amendment Act, 1862," with reference to Counties of Towns which have Courts of Quarter Sessions, but no Recorder.

WHEREAS by "The Lunatic Asylum Act, 1853," County is defined to include a County of a City or County of a Town, and Borough is defined to mean every Borough, Town, and City Corporate having a Quarter Sessions, Recorder, and Clerks of the Peace: And whereas by "The Lunacy Acts Amendment Act, 1862," it is provided that the Word "County" shall not, except in the Case of the City of London, mean a County of a City or County of a Town: And whereas certain Counties of Cities and Counties of Towns have Quarter Sessions and Clerks of the Peace, but no Recorders, wherefore the same do not come within the Provisions of "The Lunatic Asylum Act, 1853," and the Acts construed as One therewith: And whereas it is expedient to remedy such Defect: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, Preamble.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of Word "County" in Lunatic Asylum Acts.

1. That the Word "County" in "The Lunatic Asylum Act, 1853," and the several Acts construed as One therewith, shall, notwithstanding "The Lunatic Acts Amendment Act, 1862," mean every County of a City or County of a Town having Quarter Sessions and Clerks of the Peace, although the said Quarter Sessions are not held by a Recorder.

Powers of Justices of such Counties.

2. The Justices of every such County of a City or County of a Town shall have all the Powers and Authorities conferred on or given to the Justices of every Borough not having any Asylum by Section Seven of "The Lunatic Asylum Act, 1853," notwithstanding such County of a City or Town may have an Asylum of its own: Provided always, that it shall not be obligatory on any such County of a City or Town to keep up and maintain any such Asylum from and after or during such Time as it shall avail itself of the Provisions of the said Section.

This and recited Acts to be construed together.

3. This Act shall be construed as One with "The Lunatic Asylum Act, 1853," and several Acts construed as One therewith, and may be cited for all Purposes as "The Lunacy Act Amendment Act, 1865."

Lunatic Asylum Act (1853), &c. Amendment.

A

BILL

To explain and amend "The Lunatic Asylum Act, 1853," and "The Lunacy Act Amendment Act, 1862," with reference to Counties of Towns which have Courts of Quarter Sessions, but no Recorder.

(Prepared and brought in by
Mr. Scourfield and Mr. Pugh.)

Ordered, by The House of Commons, *to be Printed,*
2 *June* 1865.

[Bill 196.]

Under 1 *oz.*